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THE

LAW REPORTS.

4251 B.

The Public General Statutes,

PASSED IN THE

FORTY-SIXTH AND FORTY-SEVENTH YEARS

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA,

1883:

WITH

A LIST OF THE LOCAL AND PRIVATE ACTS,

TABLES SHOWING THE EFFECT OF THE SESSION'S LEGISLATION,

AND A COPIOUS INDEX.

VOL. XIX.

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A

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xxi. An Act to confirm certain Provisional Orders under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same.

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cxxxii. An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for London to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same.

cxxxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Colchester Tramways, Halifax and Districts Tramways, Oxford Tramways Extensions, Rhyl, Voryd, and Plastirion Tramways, Spen Valley and District Tramways, and Yarmouth and Gorleston Tramways Extension.

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cxxxviii. An Act to confirm certain Orders of the Local Government Board under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, relating to the Parishes of Black-Torrington, Bradford, Bridgerule-East, Carhampton, Dodington, Fulwood, High-Hampton, Hinders-lane-and-Dockham, Holford, Monksilver, Old Cleve, Pancras-week, Pleasley, Porlock, Pyworthy, Selworthy, Stogumber, Sutcombe, Upper-Langwith, and Withycombe; to the Townships of East-Dean, Hucknall-under-Huthwaite, and Sutton-in-Ashfield; and to the Tything of Lea-Bailey.

clxxxiv. An Act to transfer to one of Her Majesty's principal Secretaries of State the powers vested in the Admiralty and the Board of Ordnance in relation to gunpowder magazines and stores in the River Mersey, and amend the Acts relating to those magazines and stores.

ccxiii. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Cambridge, Canterbury, Chelsea, Finchley, Folkestone, Gravesend, Greenock, Greenwich, High Wycombe, Ipswich, Maidstone, and Sunderland.

ccxiv. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Aston, Birkdale, Dudley, Saltley, Ulverston, West Bromwich, and Wolverhampton.

ccxv. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Balsall Heath, Birmingham, Redditch, and Walsall.

ccxvi. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Barton Eccles Winton and Monton, Carlisle, Croydon, Luton, Margate, Nelson, Rochester, Scarborough, and Sudbury.

ccxvii. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Bermondsey, Clerkenwell, Hampstead, Holborn, Hornsey, St. George's-in-the-East, St. Giles' (Brush), St. James' and St. Martin's, St. Luke's, and Wandsworth.

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ccxx. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Bradford, Brighton, Hanover Square District (London), Norwich, South Kensington District (London), Strand District (London), and Victoria District (London).

ccxxi. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Bristol, Grantham, and Lowestoft.

ccxxii. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Chiswick and St. George-the-Martyr, Southwark.

ccxxiii. An Act for confirming a Provisional Order made by the Board of Trade under the Electric Lighting Act, 1882, relating to Dundee.

ccxxiv. An Act to confirm a Provisional Order of the Local Government Board relating to the Improvement Act District of West Hartlepool.

ccxxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Haslingden, Ramsbottom, and Rawtenstall.

ccxxvi. An Act to amend the Law relating to Highways in the Isle of Wight, and for other purposes.

THE

PUBLIC GENERAL STATUTES.

46 VICTORIA.

CHAPTER 1.

An Act to amend the Consolidated Fund (Permanent Charges Redemption) Act, 1873. [20th March 1883.]

WHEREAS by the Consolidated Fund (Permanent Charges Redemption) Act, 1873, the Treasury are authorised, as regards certain annuities as defined by that Act which are charged on the Consolidated Fund, or moneys provided by Parliament, to contract for their redemption by payment of a capital sum out of moneys provided by Parliament not exceeding the sum therein mentioned, or by the transfer of Government securities instead of the payment of a sum of money: 36 & 37 Vict. c. 57.

And whereas by section twenty-three of the Revenue Friendly Societies and National Debt Act, 1882, the Treasury were authorised, for the purpose of the redemption of such of the said annuities as were payable to ecclesiastical corporations in England, to borrow the required capital sum or annuities from the National Debt Commissioners, and to repay the loan by a terminable annuity: 45 & 46 Vict. c. 72.

And whereas it is expedient to give the like authority for the purpose of the redemption of others of the said annuities:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Construction of Act and short title.

1. This Act shall be construed as one with the Consolidated Fund (Permanent Charges Redemption) Act, 1873.

This Act may, together with that Act, be cited as the Consolidated Fund (Permanent Charges Redemption) Acts, 1873 and 1883, and may be cited, alone, as the Consolidated Fund (Permanent Charges Redemption) Act, 1883. 36 & 37 Vict. c. 57.

Advance of redemption money by National Debt Commissioners and repayment by terminable annuity.

2. (1.) The Treasury may from time to time borrow from the National Debt Commissioners, and those Commissioners may lend out of the funds in their hands on account of Trustee or Post Office Savings Banks, such capital sum or such Government securities as may be necessary for the purpose of carrying into effect any contract made in pursuance of the Consolidated Fund (Permanent Charges Redemption) Act, 1873, for the redemption of any annuity as defined by that Act. 36 & 37 Vict. c. 57.

(2.) For the purpose of repaying any such loan, the Treasury may create, in favour of the National Debt Commissioners, a terminable annuity for the period of ten years from the date of the loan, to be calculated with interest at the rate of not less than three and a quarter per cent. per annum.

(3.) Such annuity shall be notified by certificate under the hand of the Comptroller or Assistant Comptroller and the Actuary of the National Debt Office, and shall be charged upon the Consolidated Fund or the growing produce thereof.

Definitions.

3. In this Act—

The expression "National Debt Commissioners" means the Commissioners for the reduction of the National Debt.

The expression "Treasury" means the Commissioners of Her Majesty's Treasury.

CHAPTER 2.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, and one thousand eight hundred and eighty-four.

[20th March 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 2,233,958*l.* 9*s.* 8*d.* out of the Consolidated Fund for the service of the years ending 31st March 1882 and 1883.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the years ending on the thirty-first day of March one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-three the sum of two million two hundred and thirty-three thousand nine hundred and fifty-eight pounds nine shillings and eightpence.

Issue of 4,121,300*l.* out of the Consolidated Fund for the service of the year ending 31st March 1884.

2. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four, the sum of four million one hundred and twenty-one thousand three hundred pounds.

Power to the Treasury to borrow.

3. The Commissioners of the Treasury may borrow from time to time, on the credit of the said sum, any sum or sums not exceeding in the whole the sum of six million three hundred and fifty-five thousand two hundred and fifty-eight pounds nine shillings and eightpence, and shall repay the moneys so borrowed, with interest

not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1883. Short title.

CHAPTER 3.

An Act to amend the Law relating to Explosive Substances. [10th April 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Explosive Substances Act, 1883. Short title.

2. Any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be guilty of felony, and on conviction shall be liable to penal servitude for life, or for any less term (not less than the minimum term allowed by law), or to imprisonment with or without hard labour for a term not exceeding two years. Punishment for causing explosion likely to endanger life or property.

3. Any person who within or (being a subject of Her Majesty) without Her Majesty's dominions unlawfully and maliciously— Punishment for attempt to cause explosion, or for making or keeping explosive with intent to endanger life or property.

(*a.*) does any act with intent to cause by an explosive substance, or conspires to cause by an explosive substance an explosion in the United Kingdom of a nature likely to endanger life or to cause serious injury to property; or

(*b.*) makes or has in his possession or under his control any explosive substance with intent by means thereof to endanger life, or cause serious injury to property in the United Kingdom, or to enable any other person by means thereof to endanger life or cause serious injury to property in the United Kingdom,

shall, whether any explosion does or not take place, and whether any injury to person or property has been actually caused or not, be guilty of felony, and on conviction shall be liable to penal servitude for a term not exceeding twenty years, or to imprisonment with or without hard labour for a term not exceeding two years, and the explosive substance shall be forfeited.

4. (1.) Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be guilty of felony, and, on conviction, shall be liable to Punishment for making or possession of explosive under suspicious circumstances.

penal servitude for a term not exceeding fourteen years, or to imprisonment for a term not exceeding two years with or without hard labour, and the explosive substance shall be forfeited.

(2.) In any proceeding against any person for a crime under this section, such person and his wife, or husband, as the case may be, may, if such person thinks fit, be called, sworn, examined, and cross-examined as an ordinary witness in the case.

Punishment of accessories.

5. Any person who within or (being a subject of Her Majesty) without Her Majesty's dominions by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any crime under this Act, shall be guilty of felony, and shall be liable to be tried and punished for that crime, as if he had been guilty as a principal.

Inquiry by Attorney General, and apprehension of absconding witnesses.

6. (1.) Where the Attorney General has reasonable ground to believe that any crime under this Act has been committed, he may order an inquiry under this section, and thereupon any justice for the county, borough, or place in which the crime was committed or is suspected to have been committed, who is authorised in that behalf by the Attorney General, may, although no person may be charged before him with the commission of such crime, sit at a police court, or petty sessional or occasional court-house, or police station in the said county, borough, or place, and examine on oath concerning such crime any witness appearing before him, and may take the deposition of such witness, and, if he see cause, may bind such witness by recognizance to appear and give evidence at the next petty sessions, or when called upon within three months from the date of such recognizance; and the law relating to the compelling of the attendance of a witness before a justice, and to a witness attending before a justice and required to give evidence concerning the matter of an information or complaint, shall apply to compelling the attendance of a witness for examination and to a witness attending under this section.

(2.) A witness examined under this section shall not be excused from answering any question on the ground that the answer thereto may criminate, or tend to criminate, himself; but any statement made by any person in answer to any question put to him on any examination under this section shall not, except in the case of an indictment or other criminal proceeding for perjury, be admissible in evidence against him in any proceeding, civil or criminal.

(3.) A justice who conducts the examination under this section of a person concerning any crime shall not take part in the committing for trial of such person for such crime.

(4.) Whenever any person is bound by recognizance to give evidence before justices, or any criminal court, in respect of any crime under this Act, any justice, if he sees fit, upon information being made in writing, and on oath, that such person is about to abscond, or has absconded, may issue his warrant for the arrest of such person, and if such person is arrested any justice, upon being satisfied that the ends of justice would otherwise be defeated, may commit such person to prison until the time at which he is bound by such recognizance to give evidence, unless in the meantime he produces sufficient sureties: Provided that any person so arrested

shall be entitled on demand to receive a copy of the information upon which the warrant for his arrest was issued.

No prosecution except by leave of Attorney General. Procedure and saving.

7. (1.) If any person is charged before a justice with any crime under this Act, no further proceeding shall be taken against such person without the consent of the Attorney General, except such as the justice may think necessary by remand, or otherwise, to secure the safe custody of such person.

(2.) In framing an indictment the same criminal act may be charged in different counts as constituting different crimes under this Act, and upon the trial of any such indictment the prosecutor shall not be put to his election as to the count on which he must proceed.

(3.) For all purposes of and incidental to arrest, trial, and punishment, a crime for which a person is liable to be punished under this Act, when committed out of the United Kingdom, shall be deemed to have been committed in the place in which such person is apprehended or is in custody.

(4.) This Act shall not exempt any person from any indictment or proceeding for a crime or offence which is punishable at common law, or by any Act of Parliament other than this Act, but no person shall be punished twice for the same criminal act.

Search for and seizure of explosive substances. 38 & 39 Vict. c. 17.

8. (1.) Sections seventy-three, seventy-four, seventy-five, eighty-nine, and ninety-six of the Explosives Act, 1875, (which sections relate to the search for, seizure, and detention of explosive substances, and the forfeiture thereof, and the disposal of explosive substances seized or forfeited), shall apply in like manner as if a crime or forfeiture under this Act were an offence or forfeiture under the Explosives Act, 1875.

(2.) Where the master or owner of any vessel has reasonable cause to suspect that any dangerous goods or goods of a dangerous nature which, if found, he would be entitled to throw overboard in pursuance of the Merchant Shipping Act, 1873, are concealed on board his vessel, he may search any part of such vessel for such goods, and for the purpose of such search may, if necessary, break open any box, package, parcel, or receptacle on board the vessel, and such master or owner, if he finds any such dangerous goods or goods of a dangerous nature shall be entitled to deal with the same in manner provided by the said Act, and if he do not find the same, he shall not be subject to any liability, civil or criminal, if it appears to the tribunal before which the question of his liability is raised that he had reasonable cause to suspect that such goods were so concealed as aforesaid.

36 & 37 Vict. c. 85.

Definitions, and application to Scotland.

9. (1.) In this Act, unless the context otherwise requires,—

The expression "explosive substance" shall be deemed to include any materials for making any explosive substance; also any apparatus, machine, implement, or materials used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance; also any part of any such apparatus, machine, or implement.

The expression "Attorney General" means Her Majesty's Attorney General for England or Ireland, as the case may be, and in case of his inability or of a vacancy in the office, Her

Majesty's Solicitor General for England or Ireland, as the case requires.

(2.) In the application of this Act to Scotland the following modifications shall be made:

The expression "Attorney General" shall be deemed to mean the Lord Advocate, and in case of his inability or of a vacancy in the office, Her Majesty's Solicitor General for Scotland.

The expression "petty sessional court house" shall be deemed to mean the sheriff court.

The expression "felony" shall be deemed to mean a high crime and offence.

The expression "recognizance" shall be deemed to mean juratory caution.

The expression "justice" shall include sheriff and sheriff-substitute.

CHAPTER 4.

An Act for enabling the Trustees and Director of the National Gallery to lend Works of Art to other Public Galleries in the United Kingdom. [10th April 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the National Gallery (Loan) Act, 1883.

Power of trustees and director to lend pictures and works of art.

2. Any two or more of the trustees, together with the director of the National Gallery, present at any meeting specially assembled for the purpose by fourteen days previous notice, may from time to time order that any pictures or works of art belonging to them or under their control which in their opinion can be spared from the national collection shall be lent to any public gallery authorised by this Act.

Conditions of loan.

3. Any loan of pictures or works of art in pursuance of this Act shall be made for such time and subject to such conditions as any two or more of the said trustees, together with the director, present at any such meeting as aforesaid may determine; provided that any profits, which after payment of all expenses may be derived from any exhibition of pictures or works of art at any gallery to which a loan may be made under this Act, shall be devoted altogether to the promotion of science and art.

Exception as to certain pictures and works of art.

4. Pictures and works of art which have been acquired by the said trustees and director under any gift or bequest shall not be lent in pursuance of this Act until the expiration of fifteen years from the date at which such pictures or works of art came into the possession of such trustees and director; and where any such gift or bequest is made on condition that the articles so given or bequeathed should be kept together, or otherwise subject to a condition inconsistent with the same being lent, such pictures and works of art shall not be lent in pursuance of this Act until the expiration of

twenty-five years from the date at which such pictures or works of art came into the possession of such trustees and director.

Definitions.

5. In this Act—

The expression "public gallery authorised by this Act" means any gallery situate in the United Kingdom belonging to or under the control of Government or of any municipal authority or of any society or body approved by any two or more of the said trustees of the National Gallery together with the director.

The expression "municipal authority" means the common council of the City of London, the Metropolitan Board of Works, the town council of any municipal borough in England or Ireland, the town council or police commissioners of any royal burgh in Scotland, also any other local authority which may be approved by any two or more of the said trustees of the National Gallery together with the director.

CHAPTER 5.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four.

[10th April 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 6,240,100*l.* out of the Consolidated Fund for the service of the year ending 31st March 1884.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four, the sum of six million two hundred and forty thousand one hundred pounds.

Power to the Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time, on the credit of the said sum, any sum or sums not exceeding in the whole the sum of six million two hundred and forty thousand one hundred pounds, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Short title.

3. This Act may be cited as the Consolidated Fund (No. 2) Act, 1883.

CHAPTER 6.

An Act to provide, during twelve months, for the Discipline and Regulation of the Army. [26th April 1883.]

WHEREAS the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by Her Majesty and this present Parliament, that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one hundred and thirty-seven thousand six hundred and thirty-two men, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within Her Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of Her Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgment of his peers, and according to the known and established laws of this realm: yet nevertheless it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert Her Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict. c. 58.

And whereas the Army Act, 1881, will expire—

(*a.*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April one thousand eight hundred and eighty-three; and

(*b.*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July one thousand eight hundred and eighty-three; and

(*c.*) Elsewhere, whether within or without Her Majesty's dominions, on the thirty-first day of December one thousand eight hundred and eighty-three:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army (Annual) Act, 1883.

Army Act (44 & 45 Vict. c. 58.) to be in force for specified times.

2.—(1.) The Army Act, 1881, shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament; that is to say,

(*a.*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand eight hundred and eighty-three to the thirtieth day of April one thousand eight hundred and eighty-four, both inclusive; and

(*b.*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand eight hundred and eighty-three to the thirty-first day of July one thousand eight hundred and eighty-four, both inclusive; and

(*c.*) Elsewhere, whether within or without Her Majesty's dominions, from the thirty-first day of December one thousand eight hundred and eighty-three to the thirty-first day of December one thousand eight hundred and eighty-four, both inclusive;

and the day from which the Army Act, 1881, is continued in any place by this Act is in relation to that place referred to in this Act as the commencement of this Act.

44 & 45 Vict. c. 58.

(2.) The Army Act, 1881, while in force shall apply to persons subject to military law, whether within or without Her Majesty's dominions.

44 & 45 Vict. c. 58.

(3.) A person subject to military law shall not be exempted from the provisions of the Army Act, 1881, by reason only that the number of the forces for the time being in the service of Her Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

Prices in respect of billeting. 44 & 45 Vict. c. 58.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act, 1881, the prices specified in the Schedule to this Act.

Amendments of Army Act, 1881.

Amendment of s. 46 (3) of 44 & 45 Vict. c. 58. as to power of commanding officer.

4. Whereas the words herein-after mentioned in section forty-six of the Army Act, 1881, are superfluous, inasmuch as the offence therein mentioned is an aggravated offence of drunkenness, and it is expedient to omit the same: Be it therefore enacted as follows

In section forty-six of the Army Act, 1881, the words "was "guilty of drunkenness after being warned for duty, or unless he" shall be omitted from the third subsection.

Amendment of s. 80 (4) of 44 & 45 Vict. c. 58. as to attestation paper.

5. Whereas by section eighty of the Army Act, 1881, provision is made with respect to the recording of the answers of a recruit in an attestation paper to the questions put to him, and with respect to the signing and attesting of the attestation paper, and doubts have arisen with respect to the application of the said section to duplicates of such paper if duplicates are required by the regulations of a Secretary of State under Part II. of the said Act, and it is expedient to remove such doubts: Be it therefore enacted as follows:

There shall be added to section eighty of the Army Act, 1881, after the sixth subsection the following enactment:

(7.) Where the regulations of a Secretary of State under this part of this Act require duplicate attestation papers to be signed and attested, this section shall apply to both such duplicates, and in the event of any amendment of an attestation paper the amendment shall be made in both of the duplicate attestation papers.

Amendment of s. 94 of 44 & 45 Vict. c. 58. as to justices of the peace for the purpose of enlistment.

6. Whereas by the second subsection of section ninety-four of the Army Act, 1881, it is enacted that an officer while subject to military law shall not act as a justice of the peace for the purpose of the attestation of soldiers:

And whereas militiamen can be attested before any officer as well as before a justice of the peace, and it is expedient to make provision for the attestation of soldiers before officers: Be it therefore enacted as follows:

In section ninety-four of the Army Act, 1881, the words "an "officer in the United Kingdom or elsewhere, if authorised in that "behalf under the regulations of a Secretary of State also," shall be inserted before the words "every person exercising the office of a magistrate" in the first subsection; and the second subsection shall be omitted.

Amendment of s. 145. (2) of 44 & 45 Vict. c. 58. as regards the liability of a soldier to maintain his wife and children.

7. Whereas under section one hundred and forty-five of the Army Act, 1881, it is provided that in the case either (*a*) of an order or decree made for payment by a soldier either of the cost of the maintenance of his wife or child, or of any bastard child, or of the cost of any relief given to his wife or child, by way of loan, being sent to a Secretary of State, or (*b*) of it appearing to the satisfaction of a Secretary of State that a soldier has deserted or left in destitute circumstances, without reasonable cause, his wife or any of his legitimate children under fourteen years of age, the Secretary of State may order a sum therein mentioned to be deducted from the daily pay of such soldier, and to be appropriated in the first case in liquidation of the sum adjudged to be paid by such order or decree, and in the second case towards the maintenance of such wife or children:

And whereas it is expedient to make it obligatory on the Secretary of State to make the order in such cases: Be it therefore enacted as follows:

In section one hundred and forty-five of the Army Act, 1881, the words "Secretary of State shall order" shall be substituted for the words "Secretary of State may order" in the second subsection.

Amendment of s. 172 of 44 & 45 Vict.

8. Whereas it is expedient to make further provision respecting the validity of orders of military authorities for the detention in

custody of persons subject to military law when on board ship: Be it therefore enacted as follows:

c. 58. respecting provisions as to warrants and orders of military authorities.

There shall be added to section one hundred and seventy-two of the Army Act, 1881, after the fourth subsection the following enactment—

(5.) Where a military convict, or a military prisoner, or a person who is subject to military law and charged with an offence, is a prisoner in military custody, and for the purpose of conveyance by sea is delivered on board a ship to the person in command of the ship or to any other person on board the ship acting under the authority of the commander, the order of the military authority which authorises the prisoner to be conveyed by sea shall be a sufficient authority to such person, and to the person for the time being in command of the ship, to keep the said prisoner in custody and convey him in accordance with the order, and the prisoner while so kept shall be deemed to be kept in military custody.

Amendment of s. 175. (1) of 44 & 45 Vict. c. 58. as to officers subject to military law.

9. Whereas in section one hundred and seventy-five of the Army Act, 1881, which declares what persons shall be subject to military law as officers, the first subsection is as follows:

(1.) "Officers of the regular forces on full pay, and if not otherwise subject to military law, officers of the staff of the army, and officers employed on military service under the orders of an officer of the regular forces:"

And whereas, having regard to the terms of the Royal Warrant regulating the pay and promotion of the army, doubts have arisen with respect to the construction of the above enactment, and it is expedient to remove such doubts: Be it therefore enacted as follows:

In section one hundred and seventy-five of the Army Act, 1881, the words "officers of the regular forces on the active list, within "the meaning of any Royal Warrant for regulating the pay and "promotion of the regular forces, and officers not on such active "list who are employed on military service under the orders of an "officer of the regular forces, who is subject to military law" shall be substituted for the first subsection (above recited).

Amendment of s. 182. of 44 & 45 Vict. c. 58. as to warrant officers.

10. Whereas by section one hundred and eighty-two of the Army Act, 1881, power is given to a court-martial to sentence a warrant officer to be suspended from rank, pay, and allowances, or any of them, and injustice may arise if a warrant officer is sentenced to a suspension in any one of such cases, and not in all of them, and it is expedient to prevent the same:

And whereas by the same section power is given to a court-martial to sentence a warrant officer to be transferred to a corps in the same arm or branch of the service, and in the same regimental rank as that in which he served immediately before his transfer to be warrant officer, and such power is unnecessary, as the power to order such transfer is by section eighty-three of the same Act vested in the competent military authority: Be it therefore enacted as follows:

In section one hundred and eighty-two of the Army Act, 1881, the words "or any of them" shall be omitted after the words "rank and pay and allowances" in the second subsection.

In section one hundred and eighty-two of the Army Act, 1881, the words "or to be transferred to a corps in the same arm or "branch of the service and in the same rank as that in which he "served immediately before his transfer to be warrant officer" shall be omitted from the second subsection.

Printing of amendments.

11. In all copies of the Army Act, 1881, which may be printed after the commencement of this Act the words by this Act directed to be substituted for other words shall be printed therein in lieu of the latter words, and the words directed by this Act to be added shall be added thereto, and the words directed by this Act to be omitted shall be omitted therefrom.

SCHEDULE.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Twopence halfpenny per night.
Hot meal as specified in Part I. of the Second Schedule to the Army Act, 1881.	One shilling and one penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Fourpence per day.
Ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 7.

An Act to amend the Bills of Sale (Ireland) Act, 1879.

[26th April 1883.]

42 & 43 Vict. c. 50.

WHEREAS it is expedient to amend the Bills of Sale (Ireland) Act, 1879:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Bills of Sale (Ireland) Act (1879) Amendment Act, 1883; and this Act and the Bills of Sale (Ireland) Act, 1879, may be cited together as the Bills of Sale (Ireland) Acts, 1879 and 1883.

Commencement of Act.

2. This Act shall come into operation on the first day of August one thousand eight hundred and eighty-three, which date is herein-after referred to as the commencement of this Act.

Construction of Act. 42 & 43 Vict. c. 50.

3. The Bills of Sale (Ireland) Act, 1879, is herein-after referred to as "the principal Act," and this Act shall, so far as is consistent with the tenor thereof, be construed as one with the principal Act; but unless the context otherwise requires shall not apply to any bill of sale duly registered before the commencement of this Act so

long as the registration thereof is not avoided by non-renewal or otherwise.

The expression "bill of sale," and other expressions in this Act, have the same meaning as in the principal Act, except as to bills of sale or other documents mentioned in section four of the principal Act, which may be given otherwise than by way of security for the payment of money, to which last-mentioned bills of sale and other documents this Act shall not apply.

Bill of sale to have schedule of property attached thereto.

4. Every bill of sale shall have annexed thereto or written thereon a schedule containing an inventory of the personal chattels comprised in the bill of sale; and such bill of sale, save as herein-after mentioned, shall have effect only in respect of the personal chattels specifically described in the said schedule; and shall be void, except as against the grantor, in respect of any personal chattels not so specifically described.

Bill of sale not to affect after acquired property.

5. Save as herein-after mentioned, a bill of sale shall be void, except as against the grantor, in respect of any personal chattels specifically described in the schedule thereto of which the grantor was not the true owner at the time of the execution of the bill of sale.

Exception as to certain things.

6. Nothing contained in the foregoing sections of this Act shall render a bill of sale void in respect of any of the following things; (that is to say,)

(1.) Any growing crops separately assigned or charged where such crops were actually growing at the time when the bill of sale was executed.

(2.) Any fixtures separately assigned or charged, and any plant, or trade machinery where such fixtures, plant, or trade machinery are used in, attached to, or brought upon any land, farm, factory, workshop, shop, house, warehouse, or other place in substitution for any of the like fixtures, plant, or trade machinery specifically described in the schedule to such bill of sale.

Power to seize except in certain events to be void.

7. Personal chattels assigned under a bill of sale shall not be liable to be seized or taken possession of by the grantee for any other than the following causes:

(1.) If the grantor shall make default in payment of the sum or sums of money thereby secured at the time therein provided for payment, or in the performance of any covenant or agreement contained in the bill of sale and necessary for maintaining the security;

(2.) If the grantor shall become a bankrupt, or suffer the said goods or any of them to be distrained for rent, rates, or taxes;

(3.) If the grantor shall fraudulently either remove or suffer the said goods, or any of them, to be removed from the premises;

(4.) If the grantor shall not, without reasonable excuse, upon demand in writing by the grantee, produce to him his last receipts for rent, rates, and taxes;

(5.) If execution shall have been levied against the goods of the grantor under any judgment at law:

Provided that the grantor may within five days from the seizure or taking possession of any chattels on account of any of the above-mentioned causes, apply to the High Court, or to a judge thereof in

chambers, and such court or judge, if satisfied that by payment of money or otherwise the said cause of seizure no longer exists, may restrain the grantee from removing or selling the said chattels, or may make such other order as may seem just.

Bill of sale to be void unless attested and registered.

8. Every bill of sale shall be duly attested, and shall be registered under the principal Act within seven clear days after the execution thereof, or if it is executed in any place out of Ireland then within seven clear days after the time at which it would in the ordinary course of post arrive in Ireland if posted immediately after the execution thereof; and shall truly set forth the consideration for which it was given; otherwise such bill of sale shall be void in respect of the personal chattels comprised therein.

Form of bill of sale.

9. A bill of sale made or given by way of security for the payment of money by the grantor thereof shall be void unless made in accordance with the form in the schedule to this Act annexed.

Attestation.

10. The execution of every bill of sale by the grantor shall be attested by one or more credible witness or witnesses, not being a party or parties thereto. So much of section ten of the principal Act as requires that the execution of every bill of sale shall be attested by a solicitor of the Court of Judicature in Ireland, and that the attestation shall state that before the execution of the bill of sale the effect thereof has been explained to the grantor by the attesting witness, is hereby repealed.

Local registration of contents of bills of sale.

11. Where the affidavit (which under section ten of the principal Act is required to accompany a bill of sale when presented for registration) describes the residence of the person making or giving the same or of the person against whom the process is issued as being situated elsewhere than within the county of the city of Dublin or the county of Dublin, or where the bill of sale describes the chattels enumerated therein as being in some place or places outside the said county of the city of Dublin or the county of Dublin, the registrar under the principal Act shall forthwith and within three clear days after registration in the principal registry, and in accordance with the prescribed directions, transmit an abstract in the prescribed form of the contents of such bill of sale to the clerk of the peace in whose district such place or places is or are situate, and if such places are in the districts of different clerks of the peace, then to each such clerk of the peace.

Every abstract so transmitted shall be filed, kept, and indexed by the clerk of the peace in the prescribed manner, and any person may search, inspect, make extracts from, and obtain copies of the abstract so registered in the like manner and upon the like terms as to payment or otherwise as near as may be as in the case of bills of sale registered by the registrar under the principal Act.

Bill of sale under 30*l.* to be void.

12. Every bill of sale made or given in consideration of any sum under thirty pounds shall be void.

Chattels not to be removed or sold until five days after seizure.

13. All personal chattels seized or of which possession is taken after the commencement of this Act, under or by virtue of any bill of sale (whether registered before or after the commencement of this Act), shall remain on the premises where they were so seized or so taken possession of, and shall not be removed or sold until after the expiration of five clear days from the day they were so seized or so taken possession of.

Bill of sale not to protect chattels against poor and other rates.

14. A bill of sale to which this Act applies shall be no protection in respect of personal chattels included in such bill of sale which but for such bill of sale would have been liable to distress under a judgment, decree, or warrant for the recovery of taxes, poor rates, county cess, or other rates.

Repeal of part of Bills of Sale (Ireland) Act, 1879.

15. The eighth and the twentieth sections of the principal Act, and also all other enactments contained in the principal Act which are inconsistent with this Act are repealed, but this repeal shall not affect the validity of anything done or suffered under the principal Act before the commencement of this Act.

Inspection of registered bills of sale.

16. So much of the sixteenth section of the principal Act as enacts that any person shall be entitled at all reasonable times to search the register and every registered bill of sale upon payment of one shilling for every copy of a bill of sale inspected is hereby repealed, and from and after the commencement of this Act any person shall be entitled at all reasonable times to search the register, on payment of a fee of one shilling, or such other fee as may be prescribed, and subject to such regulations as may be prescribed, and shall be entitled at all reasonable times to inspect, examine, and make extracts from any and every registered bill of sale without being required to make a written application, or to specify any particulars in reference thereto, upon payment of one shilling for each bill of sale inspected, and such payment shall be made by a judicature stamp: Provided that the said extracts shall be limited to the dates of execution, registration, renewal of registration, and satisfaction, to the names, addresses, and occupations of the parties, to the amount of the consideration, and to any further prescribed particulars.

Debentures to which Act not to apply.

17. Nothing in this Act shall apply to any debentures issued by any mortgage, loan, or other incorporated company, and secured upon the capital stock or goods, chattels, and effects of such company.

Extent of Act.

18. This Act shall not extend to England or to Scotland.

SCHEDULE.

Form of Bill of Sale.

This Indenture made the day of , between *A.B.* of of the one part, and *C.D.* of of the other part, witnesseth that in consideration of the sum of £ now paid to *A.B.* by *C.D.*, the receipt of which the said *A.B.* hereby acknowledges [*or whatever else the consideration may be*], he the said *A.B.* doth hereby assign unto *C.D.*, his executors, administrators, and assigns, all and singular the several chattels and things specifically described in the schedule hereto annexed by way of security for the payment of the sum of £ , and interest thereon at the rate of per cent. per annum [*or whatever else may be the rate*]. And the said *A.B.* doth agree and declare that he will duly pay to the said *C.D.* the principal sum aforesaid, together with the interest then due, by equal payments of £ on the day of [*or whatever else may be the stipulated times or time of payment*]. And the said *A.B.* doth also agree with the said *C.D.* that he will [*here insert terms as to insurance, payment of rent, or otherwise, which the parties may agree to for the maintenance or defeasance of the security*].

Provided always, that the chattels hereby assigned shall not be liable to seizure or to be taken possession of by the said *C.D.* for any cause other than those specified in section seven of the Bills of Sale (Ireland) Act (1879) Amendment Act, 1883.

In witness, &c.

Signed and sealed by the said *A.B.* in the presence of me *E.F.* [*add witness' name, address, and description*].

CHAPTER 8.

An Act to amend the Glebe Loans (Ireland) Acts.

[31st May 1883.]

43 & 44 Vict. c. 2. 33 & 34 Vict. c. 112. 34 & 35 Vict. c. 100. 38 & 39 Vict. c. 30. 41 & 42 Vict. c. 6. 43 & 44 Vict. c. 2.

WHEREAS by section two of the Glebe Loan (Ireland) Amendment Act, 1880, it is provided that no loan under the provisions of the Glebe Loan (Ireland) Acts shall be made after the thirty-first day of August one thousand eight hundred and eighty-three, and it is expedient that the said section should be amended, and that the time during which loans under the said Acts may be made should be extended for a further period:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Glebe Loan (Ireland) Acts Amendment Act, 1883, and this Act and the Glebe Loan (Ireland) Acts, 1870 to 1880, may be cited together as the Glebe Loan (Ireland) Acts.

Extension of time for making loans.

2. The second section of the Glebe Loan (Ireland) Acts Amendment Act, 1880, which limits to the thirty-first day of August one thousand eight hundred and eighty-three the period during which loans may be made under the Glebe Loan (Ireland) Acts is hereby repealed, and loans may be made under the said Acts until but not after the thirty-first day of August one thousand eight hundred and eighty-six.

CHAPTER 9.

An Act to make further provision for taking dues for repairing and improving the Harbours in the Isle of Man.

[31st May 1883.]

WHEREAS certain repairs and improvements are required in the harbours of the Isle of Man other than Port Erin, and it is expedient to enable money to be provided for such repairs and improvements by the levy of further duties on vessels using such harbours:

35 & 36 Vict. c. 23.

And whereas the said harbours are under the management of the Isle of Man Harbour Commissioners incorporated by the Isle of Man Harbours Act, 1872:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Construction of Act and short titles. 35 & 36 Vict. c. 23.

1. This Act shall be construed as one with the Isle of Man Harbours Act, 1872, and may be cited together with that Act as the Isle of Man Harbours Acts, 1872 and 1883, and this Act may be cited as the Isle of Man Harbours Act, 1883.

Power to appoint passenger duty to be taken in harbours.

2. The Court of Tynwald from time to time when required by the Governor, may, with the approval of the Board of Trade, by resolution appoint, that there shall be payable by vessels entering or leaving the harbours to which this Act applies, or any of such harbours, a duty on passengers carried for hire by such vessels, of such amount and subject to such regulations as may be specified in such resolution and approved by the Board of Trade: Provided that—

(1.) The said duty shall not exceed a sum of threepence in respect of every passenger embarked and of every passenger disembarked at a harbour in which the said passenger duty is payable:

(2.) The said duty shall be at all times charged equally to all persons in respect of the same description of vessel under the same circumstances:

(3.) The said duty shall not be payable at any harbour at which there have been no improvements made for which it appears to the Board of Trade reasonable to charge such duty.

The Court of Tynwald, when required by the Governor, may, with the approval of the Board of Trade, from time to time, subject to the above provisoes, revoke, alter, or add to any resolution under this section.

Publication, evidence, &c. of resolution.

3. A resolution of the Court of Tynwald under this Act, when approved by the Board of Trade, shall be published in the London Gazette, and otherwise as the Board of Trade may direct, and shall come into force at such time, not earlier than one month after such publication in the London Gazette, as may be fixed by the resolution.

The approval of the Board of Trade may be signified under the hand of a secretary or assistant secretary of the Board, and any document purporting to be printed by authority in the Isle of Man or by the printers to Her Majesty or of the Government to the Isle of Man, and to contain a resolution of the Court of Tynwald under this Act, approved by the Board of Trade, shall be evidence that the duty mentioned in such resolution is payable.

Collection of passenger duty.

4. The Commissioners may, subject to the regulations affecting the same, take the passenger duty, which by a resolution made and approved in pursuance of this Act and for the time being in force, is appointed to be payable at any of the harbours to which this Act applies, and with the consent of the Treasury may either arrange with the Commissioners of Customs for the collection of the said duty, or may appoint such officers to collect the same upon such terms as to security and otherwise as the Governor may direct.

All sums received by the Commissioners in respect of the said duty or otherwise, in pursuance of this Act, shall be paid by them without any deduction to the Commissioners of Customs, and

accounted for in like manner as if they were part of the revenue of the Customs of the Isle of Man, but shall be kept as a distinct account from such revenue.

Provisions as to payment of duty and penalties. 10 & 11 Vict. c. 27. 35 & 36 Vict. c. 23.

5. For the purpose of collecting the said passenger duty, the term "rates" in the Harbours, Docks, and Piers Clauses Act, 1847 (incorporated with the Isle of Man Harbours Act, 1872,) and in this Act referred to as the General Harbours Act, shall include such duty, and the provisions of the General Harbours Act with respect to the collection of rates, shall for the purposes of this Act be amended as follows:—

(1.) Nothing in the General Harbours Act shall give power to alter the said duty otherwise than as provided by this Act:

7 Will. 4. & 1 Vict. c. 36. s. 47.

(2.) Any packet boat or post office packet, being a packet boat or post office packet as defined under the provisions of any Act relating to the Post Office, shall not be entitled to the exemption contained in section twenty-eight of the General Harbours Act, in respect of the said passenger duty, but shall be entitled to such exemption, either total or partial, from or to pay such special composition for, that duty, as may be from time to time agreed on between the Governor and Her Majesty's Postmaster-General, with the consent of the Treasury, or, in case of difference, as may be determined by the Treasury, and in the absence of any such agreement or determination shall not be entitled to exemption from such duty:

(3.) The Commissioners may, if the regulations so permit, and subject to such regulations, accept any composition for the said passenger duty in respect of any vessel:

(4.) The master of every vessel liable to pay the said passenger duty, or, if the Commissioners so permit, an agent on behalf of the master, shall deliver to the collector of rates a declaration, in a form to be prescribed by the Commissioners, as to the number of passengers carried for hire by the said vessel and embarked or disembarked at any harbour, and a master or agent who refuses or neglects to deliver such declaration, or who delivers any declaration which is false in any material particular, shall be liable to a penalty not exceeding twenty pounds, recoverable as if the same were a penalty mentioned in the General Harbours Act:

(5.) The collector of rates may at any reasonable time inspect and examine, and if he wishes, take copies of or extracts from all books, tickets, and other documents showing the number of passengers carried for hire by any vessel liable to pay the said passenger duty: Provided that any information obtained by means of an inspection under this section, shall not be admissible in evidence in any prosecution or other proceeding against any person for carrying an excessive number of passengers on any voyage of such vessel:

(6.) If any person in possession or charge of any of the said books, tickets, or documents relating to such vessel as aforesaid refuses or fails to produce and show the same or any of them to any collector of rates, or to permit such collector to inspect, examine, or take copies thereof or extracts therefrom, in every such case there shall be payable in respect of such vessel rates

calculated at the rate of sixpence per ton on the gross tonnage of such vessel for every time such vessel has entered or left any harbour at which the passenger duty is payable during the period to which the said books or documents which such collector was not permitted to inspect, examine, or take copies or extracts from relate:

(7.) If the passenger duty is not paid by any vessel in respect of any passenger embarked or disembarked at any harbour at which the duty is payable, there shall be payable in respect of such vessel rates calculated at the rate of sixpence per ton on the gross tonnage of such vessel on entering the harbour for such disembarkation or on leaving it after such embarkation; but if the owner or master of the vessel shows that such nonpayment arises from any mistake or accident, and pays or tenders the amount of duty unpaid the said tonnage rate shall not be enforced:

(8.) The gross tonnage of a vessel for the purposes of this section means the gross tonnage of such vessel as ascertained under the provisions of the Merchant Shipping Act, 1854: 17 & 18 Vict. c. 104.

(9.) The rates payable under this section shall be in addition to any other harbour dues, and shall (subject to the provisions of the Isle of Man Harbours Act, 1872, as to legal proceedings) be recovered in the manner provided by sections forty-three and forty-four of the General Harbours Act. 35 & 36 Vict. c. 23. 10 & 11 Vict. c. 27.

6. The passenger duty and rates received under this Act shall be applied exclusively for defraying the principal and interest due in respect of money borrowed either before or after the passing of this Act for the improvement, maintenance, or repair of the harbours to which this Act applies, or any of them, and subject thereto, for the improvement, maintenance, or repair of the said harbours or any of them. Application of duty.

If at any time the Board of Trade direct that the duty payable in pursuance of this Act be revised, so that the produce thereof may, so far as is practicable, be sufficient and not more than sufficient for the purposes before in this section mentioned, the Court of Tynwald shall revise the same, by a resolution under the foregoing provisions of this Act, and if the Court of Tynwald fail to revise the same, the Board of Trade may withdraw their approval to the resolution appointing such duty, and thereupon such resolution shall cease to be a resolution approved by the Board of Trade.

7. The Commissioners may borrow on the security of the passenger duty and rates under this Act in like manner as they may borrow on the security of the sums mentioned in section twenty of the Isle of Man Harbours Act, 1872. Power to borrow on security of duty.

8. In this Act— Definitions.

The term "vessel" means any vessel used in navigation which is not propelled solely by oars, and which is of a burden of not less than five tons.

The term "harbours to which this Act applies" means such of the harbours of the Isle of Man other than Port Erin as may for the time being have their limits defined in pursuance of section fourteen of the Isle of Man Harbours Act, 1872. 35 & 36 Vict. c. 23.

CHAPTER 10.

An Act to grant certain Duties of Customs and Inland Revenue, to alter other Duties, and to amend the Laws relating to Customs and Inland Revenue.

[31st May 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Customs and Inland Revenue Act, 1883.

PART I.

CUSTOMS AND EXCISE.

Import duties on tea.

2. The duties of customs now chargeable upon tea shall continue to be levied and charged, on and after the first day of August one thousand eight hundred and eighty-three until the first day of August one thousand eight hundred and eighty-four, on the importation thereof into Great Britain or Ireland; (that is to say,)

Tea, the pound - - - - Sixpence.

Certain explosive substances to be restricted goods under 39 & 40 Vict. c. 36.

3. All explosives within the meaning of the Explosives Act, 1875, on the unloading or landing of which any restriction is imposed by or in pursuance of that Act, and all explosive substances within the meaning of the Explosive Substances Act, 1883, which are forfeited under that Act, shall be deemed to be restricted goods within the meaning of the Customs Consolidation Act, 1876, and this section shall be read as part of the last-mentioned Act.

Alteration of date of expiration of certain game licences.

4. Every licence or certificate to kill game now in force, or to be taken out under the Act of the twenty-third and twenty-fourth years of Her Majesty's reign, chapter ninety, which expires, or would expire, under the provisions of that Act on the fifth day of April, shall expire on the thirty-first day of July, and wherever in such provisions the fifth day of April is mentioned or referred to, the same shall be read as if the thirty-first day of July had been therein inserted in lieu of the said fifth day of April.

Game licences for short periods.

5. A licence or certificate to kill game may be taken out under the provisions of the Act of the twenty-third and twenty-fourth years of Her Majesty's reign, chapter ninety, for a continuous period of fourteen days to be specified in such licence or certificate, and there shall be granted and paid thereon the duty of one pound.

Alteration of date of expiration of gun

6. Every licence granted under the Gun Licence Act, 1870, shall expire on the thirty-first day of July next following the day of the

date thereof: Provided, that in the case of any such licence in force at the passing of this Act, or to be granted before the first day of August next after the passing thereof, the same shall not expire until the thirty-first day of July one thousand eight hundred and eighty-four. licences. 33 & 34 Vict. c. 57.

7. The expression "any vehicle drawn by a horse or mule, or horses or mules," in provision numbered six of section nineteen of the Act of the thirty-second and thirty-third years of Her Majesty's reign, chapter fourteen, shall be extended so as to embrace any vehicle drawn or propelled upon a road or tramway, or elsewhere than upon a railway, by steam or electricity, or any other mechanical power. Extension of term carriage in provision (6) of s. 19 of 32 & 33 Vict. c. 14. to carriage moved by mechanical power.

PART II.

Income Tax.

8. There shall be charged, collected, and paid for the year which commenced on the sixth day of April one thousand eight hundred and eighty-three in respect of all property, profits, and gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four (herein-after referred to as the Income Tax Act, 1853), the following duties of income tax; (that is to say,) Grant of duties of income tax.

For every twenty shillings of the annual value or amount of property, profits, and gains chargeable under Schedules (A.) (C.) (D.) or (E.) of the said Act the duty of fivepence;

And for every twenty shillings of the annual value of the occupation of lands, tenements, hereditaments, and heritages chargeable under Schedule (B.) of the said Act,—

In England, the duty of twopence halfpenny;

In Scotland and Ireland respectively, the duty of one penny three farthings.

9. All such provisions contained in any Act relating to income tax as were in force on the fifth day of April one thousand eight hundred and eighty-three, shall have full force and effect, with respect to the duties of income tax granted by this Act so far as the same shall be consistent with the provisions of this Act. Provisions of Income Tax Acts to apply to duties hereby granted.

10. (1.) Where any dividend, interest, or other annual profits or gains, due or payable half-yearly or quarterly, shall have become due or payable in the course of the said year which commenced on the sixth day of April one thousand eight hundred and eighty-three and shall have been paid to any person prior to the passing of this Act without any charge for the duty of income tax hereby granted having been made thereon or deducted therefrom, the amount of the said duty shall be added to the assessment in respect of the next half-yearly or quarterly payment to such person, and charged thereon and deducted therefrom accordingly. Provisions as to duty on dividends, &c. paid prior to passing of this Act.

(2.) Where any person liable to pay any rent, interest, annuity, or other annual payment in the course of the said year shall, on making any such payment prior to the passing of this Act, have not made any deduction in respect of the duty of income tax hereby granted, he shall be authorised to make the deduction on

the occasion of the next payment, in addition to any other deduction which he may by law be authorised to make.

(3.) The charge or deduction of the duty of income tax hereby granted in the case of any payment made in the course of the said year prior to the passing of this Act shall be deemed to have been a legal charge or deduction.

Assessment of income tax under Schedules (A.) and (B.) and of the inhabited house duties for the year 1883–4. 32 & 33 Vict. c. 67

11. With respect to the assessment of the duties of income tax hereby granted under Schedules (A.) and (B.) in respect of property elsewhere than in the metropolis as defined by the Valuation (Metropolis) Act, 1869, and of the duties on inhabited houses elsewhere than in the said metropolis, for the year commencing, as respects England, on the sixth day of April, and as respects Scotland, on the twenty-fourth day of May one thousand eight hundred and eighty-three, the following provisions shall have effect :—

(1.) The inspectors or surveyors of taxes shall be the assessors for the said duties, and, in lieu of the poundage by law granted to be divided between the assessors and collectors in regard to such duties, there shall be paid a poundage of three halfpence to the collectors thereof :

(2.) The sum charged as the annual value of any property in the assessment of income tax thereon for the year which commenced on the sixth day of April one thousand eight hundred and eighty-two, and the sum charged as the annual value of every inhabited house in the assessment made thereon for the same year as respects England, and as respects Scotland for the year which commenced on the twenty-fifth day of May one thousand eight hundred and eighty-two, shall be taken as the annual value of such property, or of such inhabited house, for the assessment and charge thereon of the duties of income tax hereby granted, or of the duties on inhabited houses, to all intents and purposes as if such sum had been estimated to be the annual value in conformity with the provisions in that behalf contained in the Acts relating to income tax and the duties on inhabited houses respectively :

(3.) The Commissioners executing the said Acts shall for each place within their district cause duplicates of the assessments to be made out and delivered to the collectors, together with the warrants for collecting the same.

Provisions of Income Tax Acts to apply to duties to be granted for succeeding year.

12. In order to ensure the collection in due time of any duties of income tax which may be granted for the year commencing on the sixth day of April one thousand eight hundred and eighty-four, all such provisions contained in any Act relating to the duties of income tax as are in force on the fifth day of April one thousand eight hundred and eighty-four, shall have full force and effect with respect to the duties of income tax which may be so granted in the same manner as if the said duties had been actually granted and the said provisions had been applied thereto by an Act of Parliament passed on that day : Provided that nothing in this section shall be deemed to render necessary or authorise the appointment of assessors for such of the said duties as may be granted and payable under Schedules (A.) and (B.) of the Income Tax Act, 1853.

CHAPTER 11.

An Act to provide for Expenses incurred by Guardians of the Poor in relation to Poor Law Conferences.

[18th June 1883.]

WHEREAS doubts have arisen as to the power of guardians of the poor to charge the rates with the payment of expenses incurred in attending conferences for the discussion of matters connected with the duties which devolve on them, and in purchasing reports of such conferences:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Poor Law Conferences Act, 1883. Short title.

2. The guardians of any union may, when empowered by and subject to any regulations made by the Local Government Board (which regulations the said Board is hereby authorised from time to time to make, vary, or rescind), pay the reasonable expenses of any guardian or guardians, or clerk to the guardians, incurred in attending any conference of guardians held for the purpose of discussing any matter which is connected with the duties which devolve on them, and any reasonable expenses incurred in purchasing reports of the proceedings of any such conference, and may charge the amount to their common fund, or, if they have no common fund, to the fund under their control. Conference expenses.

3. Expressions used in this Act have the same respective meanings as they have in the Poor Law Act, 1879. Interpretation.

CHAPTER 12.

An Act to amend the Act for the Prevention of Crime in Ireland, 1882, as to the Audience of Solicitors.

[18th June 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. It shall be lawful for all parties appearing on the investigation of applications under the provisions of section nineteen of the Prevention of Crimes (Ireland) Act, 1882, to be heard by their solicitors, as well as personally, or by counsel as in said Act provided. Parties may be heard by their solicitors.

2. This Act may be cited as the Prevention of Crime (Ireland) Act, 1882, Amendment (Audience of Solicitors) Act, 1883. Short title.

CHAPTER 13.

An Act to apply the sum of five million nine hundred and seventy-three thousand nine hundred and twelve pounds out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four.

[18th June 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 5,973,912*l.* out of the Consolidated Fund for the service of the year ending 31st March 1884.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four the sum of five million nine hundred and seventy-three thousand nine hundred and twelve pounds.

Power to the Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time, on the credit of the said sum, any sum or sums not exceeding in the whole the sum of five million nine hundred and seventy-three thousand nine hundred and twelve pounds, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

3. This Act may be cited as the Consolidated Fund (No. 3) Act, 1883.

CHAPTER 14.

An Act to amend the Laws relating to the Pay and Pensions of the Royal Irish Constabulary and the Police Force of Dublin Metropolis; and for other purposes.

[18th June 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited for all purposes as the Constabulary and Police (Ireland) Act, 1883. Short title.

PART I.

Royal Irish Constabulary.

2. From and after the passing of this Act so much of the Constabulary (Ireland) Act, 1874, as limits the annual salaries of the head constable major, the head constables, constables, acting constables, and sub-constables of the Royal Irish Constabulary, (who are in this part of this Act referred to as constables,) to the sums specified in that Act, shall be repealed. The pay of constables of the Royal Irish Constabulary shall be according to the rates specified in that behalf in the First Schedule to this Act. The extra pay allowed to a limited number of constables of long service shall cease to be paid after the passing of this Act. Revised salaries for men of the Royal Irish Constabulary. 37 & 38 Vict. c. 80.

There shall be deducted from the pay provided for each constable by this Act the sum of one shilling by the week for every week during which lodging accommodation in any barrack or elsewhere, or an allowance in lieu thereof, is supplied for him out of moneys provided by Parliament or out of local rates: Provided that such deduction shall not be made during the lifetime of the wife, or of any of the children under the age of sixteen years, of a constable whose marriage is registered in the Constabulary Department in accordance with the regulations of the force, in case lodging accommodation is not supplied for such wife or child in a barrack or elsewhere from moneys provided by Parliament or out of local rates.

Provided also that such deduction shall not be made from the pay of the head constable major, nor of any constable whose length of service is less than six months.

3. (1.) Subject to the provisions of this Act, every constable of the Royal Irish Constabulary who became a member of the force on or after the tenth day of August one thousand eight hundred and sixty-six, or who shall become a member of the force after the passing of this Act— Right of constables to pensions.

(*a.*) if he has completed not less than twenty-five years service, shall be entitled on the expiration of two months after he has given written notice to the Inspector General of his desire to retire, or of such less time after that notice as the Inspector General allows, to retire and receive a pension for life ; and

(*b.*) if he has completed not less than fifteen years service, and is incapacitated for the performance of his duty by infirmity of mind or body, shall be entitled to retire and receive a pension for life ; and

(*c.*) if he is incapacitated for the performance of his duty by infirmity of mind or body occasioned in the execution of his duty without his own default, shall be entitled to retire and to receive a pension for life ; and

(*d.*) if he has not completed fifteen years service, and is incapacitated for the performance of his duty by infirmity of mind or body occasioned otherwise than as aforesaid and without his

own default, may, if the Inspector General allows him, retire, and the Inspector General, if he thinks fit, may grant him a gratuity.

(2.) Provided that,—

(*a.*) a constable becoming a member of the force after the passing of this Act, and who receives a pension under this section before he has completed twenty-five years service, shall be subject to return to service, as mentioned in this Act, if he ceases to be incapacitated; and

(*b.*) where a constable receives a pension under this section before he has completed fifteen years service, the pension shall be subject to such reduction by the Inspector General as is provided by this Act.

(3.) The said pensions and gratuities shall be in accordance with the pension scale under this Act, and, subject to the limits in that scale, shall be such as the Inspector General, with the approval of the Commissioners of the Treasury, may determine.

(4.) Provided that where a pension is granted to a constable on account of infirmity of mind or body, and such infirmity is certified by some legally qualified medical practitioner to have been brought about or been contributed to by his own default or by his vicious habits, and such constable is entitled under this Act to a pension of a fixed amount or to a pension not less than a fixed amount, the Inspector General may, subject to the limit in the pension scale, grant to him a less amount of pension than the said fixed amount of pension to which he would otherwise have been entitled.

The pension scale under this Act shall be the scale set out in the Second Schedule to this Act.

(5.) No pension shall be granted to any such constable unless the Inspector General is satisfied that he has served with diligence and fidelity.

(6.) When any constable who became a member of the force on or after the tenth day of August one thousand eight hundred and sixty-six or who shall become a member of the force after the passing of this Act has completed a service of twenty-five years, the Inspector General may, if he thinks fit, require him to retire upon the terms as to pension prescribed by this Act.

When any constable who became a member of the force before the said tenth day of August one thousand eight hundred and sixty-six has completed a service of twenty-five years, the Inspector General may, if he thinks fit, require him to retire, and in computing the pension to which he is entitled his length of service shall be reckoned as thirty years.

Pension allowances and gratuities to widows and children.

4. (1.) Where a constable dies from some cause which, if it had only incapacitated him from the performance of his duty, would have entitled him to a pension for life, the Inspector General shall grant a pension to his widow and children.

(2.) Where a constable dies from some cause not arising from his own default, and other than that above mentioned in this section, the Inspector General may, if he thinks fit, grant gratuities to his widow and children, or any of them.

(3.) Where a constable to whom a pension has been granted dies within twelve months after the grant of such pension, the Inspector General shall grant a gratuity to his widow and children.

(4.) The said pension allowances and gratuities shall be in accordance with the pension scale under this Act, and, subject to the limits in that scale, shall be such as the Inspector General, with the consent of the Commissioners of the Treasury, may determine.

(5.) This section shall apply to the widows and children of constables appointed before the tenth day of August one thousand eight hundred and sixty-six, as if they were constables entitled to pensions under this Act.

(6.) This section shall not apply to the widow or children of any constable who marries after the passing of this Act, unless the marriage of such constable is in accordance with the regulations of the force.

Reckoning of service in other police forces for pension.

5. (1.) In reckoning the service of a constable for the purposes of this Act, approved service in any other police force, or if he has served in more than one, then in each police force in which he served for not less than three years approved service, and from which with the written sanction of the chief officer of that force he removed to another force, or to the Royal Irish Constabulary, shall be reckoned as service in the Royal Irish Constabulary; and the length of service which a constable is entitled to reckon in the police force from which he removes shall be stated in the said written sanction, or shall otherwise be sent in writing by the chief officer of that force to the Inspector General of the Royal Irish Constabulary on the removal of the constable into the Royal Irish Constabulary. For the purposes of this Act, approved service shall mean such continuous service as may, after deduction, if any, for sickness, misconduct, or other cause, be established to the satisfaction of the police authority having the control of such police force, to have been diligent and faithful service.

(2.) Where a constable with the knowledge of the Inspector General belongs to the army reserve, his absence when called out for training or for permanent service shall not prevent his service in the constabulary being deemed to be continuous service for the purposes of this Act, and he shall be entitled on returning to the constabulary after the end of such absence to reckon any service which he was entitled to reckon at the commencement thereof.

Proof of incapacity for duty and return to service of pensioner on recovery from incapacity, and revision of pension.

6. (1.) Where a pension is granted to a constable who, after having served for less than twenty-five years, retires on the ground of his being incapacitated by infirmity of mind or body for the discharge of his duty, the Inspector General shall, before granting such pension, be satisfied, by the evidence of some legally qualified medical practitioner or practitioners employed or approved by him, that such constable is so incapacitated, and that the incapacity is likely to be permanent, and afterwards, until the power under this Act of requiring the constable to serve again ceases, shall yearly or otherwise, from time to time, also satisfy himself by the like evidence that such incapacity continues.

(2.) In the event of such incapacity ceasing before the expiration of such time as would, together with the period of service prior to his retirement, make up a period of twenty-five years, the constable, if he became a member of the force after the passing of this Act, shall be liable to serve again in the force, and if before the expira-

tion of the said time he declines so to serve, or if when serving again he neglects to perform his duty satisfactorily, being in a competent state of health, he shall forfeit his pension.

(3.) A constable so serving again shall be entitled to retire at the same time as he would be entitled to do if the time which elapsed between his retirement and the renewal of his service were service, but the time which so elapsed shall not be reckoned as service in calculating his pension on his retirement subsequent to such renewal.

(4.) Where a pension is granted to a constable who has served for less than fifteen years on the ground of his being incapacitated by infirmity of mind or body for the discharge of his duty, and the Inspector General is, before the expiration of such time as would together with the period of his service prior to the grant of the pension make up a period of twenty-five years, satisfied, by the evidence of some legally qualified medical practitioner or practitioners employed or approved by him, or otherwise, that such incapacity has partly ceased, the Inspector General, may, subject to the limits in the pension scale, reduce permanently or temporarily the pension granted to such constable.

(5.) If a constable fails or refuses, when so required by the Inspector General, to be examined by some legally qualified medical practitioner or practitioners employed or approved by such Inspector General, the Inspector General shall have the same power of requiring such constable to serve again and of forfeiting or reducing the pension of such constable as he would have under this section if satisfied by the evidence of any such practitioner that the incapacity of such constable had wholly or partly ceased.

Forfeiture of pension or allowance.

7. A pension or allowance under this Act is granted only upon condition that it becomes forfeited, and may be withdrawn by the Inspector General, in any of the following cases:—

(*a.*) If the grantee is convicted of any indictable offence; or

(*b.*) If the grantee knowingly associates with thieves or suspected persons; or

(*c.*) If the grantee refuses to give to the police all information and assistance in his power for the detection of crime, for the apprehension of criminals, and for the suppression of any disturbance of the public peace; or

(*d.*) If the grantee is guilty of any conduct which is illegal, or in the opinion of the Inspector General disgraceful, or enters into or continues to carry on any business, occupation, or employment, in which (if he was a constable) he has made use of the fact of his former employment in the police in a manner which the Inspector General considers to be discreditable and improper.

Suspension of pension.

8. Where a constable in receipt of a pension under this Act takes service in any police force, his pension may be suspended by the Inspector General in whole or in part so long as he remains in such service.

Punishment for obtaining pension, &c. by fraud.

9. Where a person obtains any pension, gratuity, or allowance under this Act by any false representation or false evidence, or by personation, or by malingering or feigning disease or infirmity, or by maiming or injuring himself, or causing himself to be maimed

or injured, or otherwise producing disease or infirmity, or by any other fraudulent conduct, such person shall be liable to a fine not exceeding twenty pounds, or to imprisonment, with or without hard labour, for a period not exceeding three months, and also to forfeit the pension, gratuity, or allowance obtained.

Offences against this section may be prosecuted, and penalties recovered, in a summary manner.

Provision as to pensions of men appointed before August 1866. 10 & 11 Vict. c. 100. s. 3.

10. In the case of any constable who became a member of the Royal Irish Constabulary before the tenth day of August one thousand eight hundred and sixty-six, and who retires after the passing of this Act, and who shall at the time of his retirement have served for thirty years or upwards, the pension which he is qualified to receive may be granted to him without the production of a certificate that he is unable from mental or bodily infirmity to perform his duty.

The pension which may be awarded to any constable who became a member of the Royal Irish Constabulary before the tenth day of August one thousand eight hundred and sixty-six shall not be calculated with reference to the scale of pay specified in the First Schedule to this Act, but shall be calculated with reference to the pay which such constable would be entitled to receive if this Act had not been passed; and for the purposes of such calculation in the case of any head constable who became a member of the force before the tenth day of August one thousand eight hundred and sixty-six, and who had not attained the rank of a first-class head constable before the passing of this Act, such head constable shall, when he has served for five years as a head constable, be deemed to have attained by promotion the rank of a first-class head constable, and to be entitled to the scale of pay to which first-class head constables were entitled at the passing of this Act; and when he has served for less than five years as a head constable shall be deemed to have attained, upon his promotion to be such head constable, the rank of a second-class head constable, and to be entitled to the scale of pay to which second-class head constables were entitled at the passing of this Act.

Provided that any constable who became a member of the force before the said tenth day of August one thousand eight hundred and sixty-six may, if he so elects, be pensioned in accordance with the provisions of this Act relating to the pensions of constables who became members of the force after that date, and with reference to the scale of pay specified in the First Schedule.

The Constabulary Force Fund.

11. No deduction shall be made from the pay or pension of any person who becomes a member of the Royal Irish Constabulary after the passing of this Act as a contribution towards the Constabulary Force Fund; nor shall any such person, nor the widow or family of any such person, be entitled to be paid any gratuity, bounty, pension, or allowance, out of that fund.

Change of designations of certain ranks.

12. After the first day of October one thousand eight hundred and eighty-three the sub-inspectors, constables, acting constables, and sub-constables of the Royal Irish Constabulary, shall respectively be styled district inspectors, sergeants, acting sergeants, and constables.

PART II.

Dublin Metropolitan Police.

Pay of Dublin Metropolitan Police.

13. From and after the passing of this Act the pay of the chief superintendent, superintendents, inspectors, acting inspectors, station sergeants, sergeants, acting sergeants, and constables of the Dublin Metropolitan Police shall be according to the rates specified in that behalf in the Third Schedule to this Act.

Provided that where any member of the force is at the time of the passing of this Act in receipt of a higher rate of pay than the rate specified in the said schedule in relation to such person, nothing contained in this Act shall be taken to reduce the rate of pay which such person is entitled to receive.

Nothing contained in this Act shall affect the pay or classification of the Inspectors holding that rank at the passing of this Act.

There shall be deducted from the pay provided by this Act for each member of the Dublin Metropolitan Police below the rank of inspector the sum of one shilling and twopence by the week for every week during which lodging accommodation in any barrack or elsewhere, or an allowance in lieu thereof, is supplied for him out of moneys provided by Parliament or out of local rates; provided that such deduction shall not be made from the pay of any supernumerary constable.

Application of provisions as to pension to the Dublin Metropolitan Police.

14. The provisions of this Act relative to pensions and gratuities for constables of the Royal Irish Constabulary who became members of that force on or after the tenth day of August one thousand eight hundred and sixty-six, or who shall become members of that force after the passing of this Act, shall apply to the members of the Dublin Metropolitan Police Force, not being of higher rank than chief superintendent, who became members of the force on or after the twelfth day of August one thousand eight hundred and sixty-seven, or who shall become members of the force after the passing of this Act, subject to the following provisions:

(1.) The term "constable" shall include every member of the Dublin Metropolitan Police, not being of higher rank than chief superintendent.

(2.) Anything authorised or required to be done by the Inspector General shall be done by the Commissioner of the Dublin Metropolitan Police.

Provision as to pensions of men appointed before 12th August 1867. 10 & 11 Vict. c. 100. s. 10.

15. In the case of any constable who became a member of the Dublin Metropolitan Police before the twelfth day of August one thousand eight hundred and sixty-seven, and who retires after the passing of this Act, and who shall at the time of his retirement have served for thirty years or upwards, the pension which he is qualified to receive may be granted to him without the production of a certificate that he is unable, from mental or bodily infirmity, to perform his duty.

The pension which may be awarded to any constable who became a member of the Dublin Metropolitan Police before the twelfth day of August one thousand eight hundred and sixty-seven shall not be calculated with reference to the scale of pay specified in the Third Schedule to this Act, but shall be calculated with reference

to the pay which such person would be entitled to receive if the scale of pay in force at the time of the passing of this Act had continued in force until the time of his retirement; and the pay which such person would be entitled to receive as aforesaid shall for the purpose of such calculation be taken to be the pay set out in the Fourth Schedule to this Act: Provided that any such constable may, if he so elects, be pensioned in accordance with the provisions of this Act relating to the pensions of constables who became members of the force after the said date, and with reference to the scale of pay provided for constables by this Act.

When any constable who became a member of the Dublin Metropolitan Police on or after the twelfth day of August one thousand eight hundred and sixty-seven or who shall become a member of the police after the passing of this Act has completed a service of twenty-five years, the Commissioner may, if he thinks fit, require him to retire upon the terms as to pension prescribed by this Act. When any constable who became a member of the police before that day has completed a service of twenty-five years, the Commissioner may, if he thinks fit, require him to retire, and in computing the pension to which he is entitled, his length of service shall be reckoned as thirty years.

Pensions and gratuities for widows and children.

16. The provisions of this Act relative to pensions and gratuities to widows and children of constables shall apply to the widows and children of constables of the Dublin Metropolitan Police, and in the case of the widows and children of constables appointed before the twelfth day of August one thousand eight hundred and sixty-seven, shall apply as if they were constables entitled to pensions under this Act.

Provision for payment of deputies to divisional justices. 34 & 35 Vict. c. 76.

17. Whereas by the eleventh section of the Summary Jurisdiction (Ireland) Amendment Act, 1871, it is enacted that there shall be paid to every deputy appointed by any divisional justice of the police district of Dublin metropolis under the provisions of the said section, by such justice at his own charge, such sum by way of remuneration for his services as the Chief Secretary to the Lord Lieutenant shall direct; and it is expedient to make other provision for the payment of such deputies when they are appointed in the case of the sickness or unavoidable absence of any of such justices but not in any other case:

Therefore whenever after the passing of this Act a deputy is appointed by any of the said divisional justices under such of the provisions of the said section as relate to the case of the sickness or unavoidable absence of any of the said justices, there shall be paid to such deputy, out of moneys to be provided by Parliament, remuneration for his services as such deputy, at such daily rate and subject to such conditions as the Commissioners of the Treasury may from time to time prescribe.

Oath of deputy. 6 & 7 W. 4. c. 29. s. 2.

18. Every person appointed after the passing of this Act to be a deputy to any of the said divisional justices shall, before he shall begin to execute the duties of his office, take the oath required by law to be taken by every person appointed to be a divisional justice of the police district of Dublin metropolis.

Saving of right of dismissal and reduction in rank.

19. Nothing in this Act shall prevent any constable being dismissed or reduced to any lower rank or lower rate of pay on

account of misconduct or negligence in or unfitness for the discharge of his duties, or other reasonable cause.

SCHEDULE I.

Sections 2 and 10.

Rates of Pay of Royal Irish Constabulary.

	Weekly Pay. s.	d.
Head constable major	40	0
Head constable:		
Six years service in that rank and over	40	0
Three to six years service	37	6
Under three years service	35	0
Constable:		
Four years service in that rank and over	31	0
Under four years	29	0
Acting constable	28	0
Sub-constable:		
Twenty years service and over	27	0
Fifteen to twenty years service	26	0
Twelve to fifteen years service	25	0
Nine to twelve years service	24	0
Seven to nine years service	23	0
Four to seven years service	22	0
Six months to four years service	21	0
Under six months service	15	0

The pay of the depôt schoolmaster shall be such as the Lord Lieutenant, with the consent of the Commissioners of the Treasury, may determine.

The weekly pay of any head constable who is a first-class head constable at the passing of this Act shall be forty shillings, irrespective of his length of service in the rank of head constable.

SCHEDULE II.

PENSION SCALE.

Section 3.

Pensions and Gratuities to Constables.

(1.) The pension to a constable on retirement shall be according to the following scale; that is to say,

(*a.*) if he has completed fifteen but less than twenty-one years service, an annual sum equal to one fiftieth of his annual pay for every completed year of service; and

(*b.*) if he has completed twenty-one but less than twenty-five years service, an annual sum equal to twenty fiftieths of his annual pay with an addition of two fiftieths of his annual pay for every completed year of service above twenty years; and

(*c.*) if he has completed twenty-five years service an annual sum equal to thirty fiftieths of his annual pay with an addition of one fiftieth of his annual pay for every completed year of service above twenty-five years, so however that the pension shall not exceed two thirds of his annual pay.

(2.) The pension to a constable on retirement who is partially incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default shall, in the case of accidental injury, be according to the following scale, that is to say:

(*a.*) if he has completed not more than five years service, an annual sum not more than ten fiftieths of his annual pay; and

(*b.*) if he has completed more than five and not more than ten years service, an annual sum not more than twelve fiftieths of his annual pay; and

(*c.*) if he has completed more than ten years and not more than fifteen years service, an annual sum not more than fifteen fiftieths of his annual pay; and

(*d.*) if he has completed more than fifteen years service, an annual sum not more than his annual pay:

Provided that if he has completed fifteen years service the pension shall not be less than the sum to which he is entitled under article one of this schedule.

(3.) The pension to a constable on retirement who is wholly incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default shall, in the case of accidental injury, be according to the following scale, that is to say:

(*a.*) if he has completed not more than ten years service, an annual sum not more than fifteen fiftieths of his annual pay; and

(*b.*) if he has completed more than ten and not more than fifteen years service, an annual sum not more than twenty fiftieths of his annual pay; and

(*c.*) if he has completed more than fifteen years service, an annual sum not more than his annual pay:

Provided that if he has completed fifteen years service the pension shall not be less than the sum to which he is entitled under article one of this schedule.

(4.) The pension to a constable on retirement who is partially incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default in a case other than a case of accidental injury, shall be according to the following scale; that is to say,

(*a.*) if he has completed not more than ten years service, an annual sum not more than twenty fiftieths of his annual pay; and

(*b.*) if he has completed more than ten but not more than fifteen years service, an annual sum not more than one half of his annual pay; and

(*c.*) if he has completed more than fifteen years service, an annual sum not more than his annual pay:

Provided that if he has completed fifteen years service the pension shall not be less than the sum to which he is entitled under article one of this schedule.

(5.) The pension to a constable on retirement who is wholly incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default, in a case other than a case of accidental injury, shall be an annual sum not more than his annual pay, and if he has completed fifteen years service, not less than the sum to which he is entitled under article one of this schedule.

(6.) Any gratuity to a constable on his retirement who is incapacitated for the performance of his duty by infirmity of mind or body occasioned without his own default, but otherwise than in the execution of his duty, shall not exceed the amount of one month's pay for every completed year of service.

(7.) Where, on account of the infirmity of mind or body of a constable having been brought about or been contributed to by his own default or by his vicious habits, the pension granted to such constable is of less amount than that to which he would otherwise be entitled, the diminution of such pension shall not exceed five fiftieths of the annual pay of such constable.

(8.) A pension granted to a constable who has completed less than the fifteen years service shall not, if reduced on account of partial recovery from his incapacity, be less than one fiftieth of his annual pay for every completed year of service of such constable.

Pensions, Allowances, and Gratuities to Widows and Children.

(9.) Where a constable has died from some cause which, if it had only incapacitated him for the performance of his duty, would have entitled him to a pension for life, the pension to his widow and the allowances to his children shall be according to the following scale:—

(*a.*) the pension to the widow shall be an annual sum equal to one tenth of the constable's pay or the sum of ten pounds, whichever is the larger; and,

(*b.*) the allowance to each child shall be an annual sum equal to one fiftieth of the constable's pay or two pounds ten shillings, whichever is the larger.

(10.) Where a constable has died from some cause not arising from his own default, but so that his widow and children are not entitled to pension or allowance under the preceding article of this schedule, any gratuities to the widow and children shall not exceed in the whole the amount of gratuity which could be given to the constable if he had at the time of his death become wholly incapacitated and retired.

(11.) The gratuity granted to the widow and children of a constable who dies within twelve months after the grant of a pension shall not exceed the difference between the annual pay of such constable and the amount he has actually received in respect of his pension.

(12.) The pension to a widow shall continue only while she remains a widow and continues to be of good character.

(13.) The allowance to a child shall not continue after the child attains the age of fifteen years.

General Provisions.

(14.) For the purpose of estimating any pension, gratuity, or allowance under this schedule—

(*a.*) a pension or gratuity to a constable shall be calculated according to the amount of his annual pay at the date of his retirement, or of the injury or cause occasioning the incapacity which compels his retirement, whichever is the larger;

(*b.*) a pension or gratuity to the widow and an allowance or gratuity to a child of a constable shall be calculated according to the amount of the constable's annual pay at the date of his death or of the injury or cause occasioning his death, or where he had a pension of his retirement;

(*c.*) but where a constable who becomes a member of the force after the passing of this Act has, in the course of the three years next before the date of his retirement, or death, or such injury, or cause, been in receipt of a different annual pay from that which he is receiving at that date, his annual pay at the date of the retirement, death, injury, or cause shall be deemed to be the average annual amount of pay received by him for the said three years, instead of the annual amount actually received by him at that date.

(*d.*) Section twelve of the Act of the session of the fourth and fifth years of the reign of His Majesty King William the Fourth, chapter twenty-four, shall continue to apply to the pensions and gratuities to be granted to constables who became members of the Royal Irish Constabulary before the passing of this Act. Nothing contained in this Act shall be taken to extend that section to any pension or gratuity to which it would not apply if this Act had not been passed.

The annual pay with reference to which pensions and allowances under this Act shall be calculated is the pay set out in the First and Third Schedules to this Act. In converting weekly pay into annual pay the year shall be taken to be fifty-two weeks.

SCHEDULE III.

Rates of Pay of Dublin Metropolitan Police.

Sections 13 and 15.

Chief Superintendent - Annual salary on appointment 400*l.*, rising by 15*l.* a year to 500*l.*

Superintendent - - Annual salary on appointment 250*l.*, rising by 10*l.* a year to 320*l.*

Inspector - - - Annual salary on appointment 120*l.*, rising by 6*l.* a year to 160*l.*

	Weekly Pay. £	*s.*	*d.*
Acting inspector serving at the passing of this Act -	2	0	0
Station sergeant - - - - - -	2	0	0
Sergeant:			
Five years service in that rank and upwards - -	1	18	0
Two to five years service in that rank - -	1	16	0
Under two years service in that rank - - -	1	14	0
Acting sergeant serving at the passing of this Act -	1	12	6
Constable:			
Fifteen years service in that rank and upwards -	1	10	0
Eight to fifteen years service in that rank - -	1	9	0
Three to eight years service in that rank - -	1	7	0
One to three years service in that rank - -	1	5	0
Less than one year's service in that rank - -	1	3	0
Supernumerary constable - - - -	0	15	6

In the Detective ("G") Division the pay shall be at the above rate, subject to the modifications following:—

The annual salary of the superintendent shall be 300*l.*, rising by 10*l.* a year to 400*l.*

The annual salary of the chief inspector shall be 160*l.*, rising by 8*l.* a year to 200*l.*

The weekly pay of a sergeant of eight years service in that rank and upwards shall be 40*s.*

The weekly pay of an acting sergeant serving at the passing of this Act shall be 1*l.* 13*s.* 6*d.*

The constables who are styled detectives shall be paid 30*s.* a week, irrespective of their length of service as constables.

SCHEDULE IV.

The pay of members of the Dublin Metropolitan Police appointed before the 12th August 1867, and who retire upon pensions calculated with reference to the scale of pay in force at the time of the passing of this Act, shall be estimated for the purposes of such pension as follows: Section 15.

	Annual Pay.
Chief superintendent - -	330*l.*
Superintendent - - -	220*l.*, rising by 6*l.* a year to 250*l.*

	Weekly Pay. £	*s.*	*d.*
Acting inspector - - - - -	1	16	0
Station sergeant - - - - - -	1	16	0
Sergeant holding that rank at the passing of this Act -	1	14	6
Sergeant, who was an acting sergeant at the passing of this Act, and retires after not less than five years service subsequent to his appointment as acting sergeant - - - - - -	1	14	6

	Weekly Pay. £	s.	d.
Sergeant, who was an acting sergeant at the passing of this Act, and retires after less than five years service subsequent to his appointment as acting sergeant -	1	12	6
Sergeant, who was a constable at the passing of this Act, and retires after not less than five years service as a sergeant - - - - - -	1	14	6
Sergeant, who was a constable at the passing of this Act, and retires after less than five years service as a sergeant	1	12	6
Acting sergeant - - - - - -	1	12	6
Constable - - - - - -	1	9	0

The pension of an inspector who became a member of the force before the 12th August 1867, shall be calculated with reference to the pay which he receives at the time of his retirement.

The pay of members of the force serving in the Detective ("G") Division, appointed before the 12th August 1867, and who retire upon pensions calculated with reference to the scale of pay in force at the time of the passing of this Act, shall be estimated for the purposes of such pension, as follows:—

	Annual Pay. £	s.	d.
The pay of a superintendent shall be estimated at -	250	0	0
Chief inspector - - - - - -	180	0	0
	Weekly Pay.		
Inspector - - - - - -	1	19	0
The senior acting inspector - - - -	1	19	0
Acting inspector - - - - -	1	18	0
Sergeant with not less than five years service in that rank	1	18	0
Sergeant with not less than two years service in that rank	1	14	6
Sergeant with less than two years service in that rank -	1	13	6
Acting sergeant - - - - - -	1	13	6
Detective - - - - - -	1	10	0
Constable - - - - - -	1	10	0

CHAPTER 15.

An Act to amend the Lands Clauses Consolidation Act, 1845. [18th June 1883.]

8 & 9 Vict. c. 18.

WHEREAS it is expedient that the provisions contained in the Lands Clauses Consolidation Act, 1845, in relation to the appointment of umpires should be amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of s. 28 of 8 Vict. c. 18. extending the power of appointment of umpire by Board of Trade.

1. The following words in section twenty-eight of the Lands Clauses Consolidation Act, 1845, are hereby repealed, that is to say, "in any case in which a railway company shall be one party "to the arbitration, and two justices in any other case," and that section shall, in relation to the appointment of any umpire under the provisions thereof after the passing of this Act, apply as if such words were omitted, and the same section shall accordingly be read and have effect as follows:

28. If in either of the cases aforesaid the said arbitrators shall refuse or shall for seven days after request of either party to such arbitration neglect to appoint an umpire, the Board of Trade shall, on the application of either party to such arbitration, appoint an umpire, and the decision of such umpire on the matters on which the arbitrators shall differ, or which shall be referred to him under this or the special Act, shall be final.

2. This Act may be cited as the Lands Clauses (Umpire) Act, 1883. Short title.

CHAPTER 16.

An Act to grant a sum of money to Admiral Baron Alcester, G.C.B., in consideration of his eminent services. [29th June 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, duly considering the approbation graciously signified by Your Majesty of the important services rendered by Baron Alcester, Admiral in Your Majesty's Navy, in the course of the recent expedition to Egypt, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. A sum of twenty-five thousand pounds shall be paid to Admiral Baron Alcester, G.C.B., out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing produce thereof. Grant of 25,000*l.* to Baron Alcester.

2. This Act may be cited as Lord Alcester's Grant Act, 1883. Short title.

CHAPTER 17.

An Act to grant a sum of money to General Baron Wolseley of Cairo, G.C.B., G.C.M.G., in consideration of his eminent services. [29th June 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, duly considering the approbation graciously signified by Your Majesty of the important services rendered by Baron Wolseley of Cairo, General in Your Majesty's Army, in the course of the recent expedition to Egypt, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grant of 30,000*l.* to Baron Wolseley.

1. A sum of thirty thousand pounds shall be paid to General Baron Wolseley of Cairo, G.C.B. and G.C.M.G., out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing produce thereof.

Short title.

2. This Act may be cited as Lord Wolseley's Grant Act, 1883.

CHAPTER 18.

An Act to make provision respecting certain Municipal Corporations and other Local Authorities not subject to the Municipal Corporation Act. [29th June 1883.]

WHEREAS Commissioners were appointed by His late Majesty King William the Fourth (in this Act referred to as the Commissioners of 1834) to inquire into Municipal Corporations in England and Wales, and made reports respecting divers corporations, including most of those mentioned in the schedules to this Act:

And whereas the Municipal Corporation Acts consolidated and repealed by the Municipal Corporations Act, 1882, were passed and applied to most of the places mentioned in the above report, but not to those which are mentioned in the schedules to this Act:

And whereas Commissioners were appointed by Her Majesty to inquire into Municipal Corporations not subject to the Municipal Corporation Acts (in this Act referred to as the Commissioners of 1876), and have made reports to Her Majesty respecting the places mentioned in the schedules to this Act, and it is expedient to make the provisions herein-after appearing respecting those places:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Municipal Corporations Act, 1883.

Abolition of special judicial bodies, exclusive rights of trading, exempting from juries, &c.

2. On and after the twenty-fifth day of March one thousand eight hundred and eighty-six, or such later day, not after the twenty-ninth day of September one thousand eight hundred and eighty-six, as Her Majesty in Council may in the case of any place or places appoint, the following provisions shall (subject to the savings for vested interests and other provisions contained in this Act) apply to each of the places mentioned in the schedules to this Act; that is to say,

(1.) All civil, criminal, and Admiralty jurisdiction of any corporate officer, court, or judge of the said place appointed or holding office under any charter, grant, or prescription shall cease, whether such jurisdiction is conferred by such charter, grant, or prescription, or by any Act, and the place shall be subject to the same jurisdiction as the part of the county in which it is situate or to which it adjoins, and if it adjoins more than one county or part of a county, then as the county or part with which it has the longest common boundary:

(2.) All exclusive rights of trading, local exemptions from juries, and other local franchises, privileges, and exemptions existing under any charter or grant or prescription shall cease.

Future abolition of corporations, except as provided by new charter or by scheme under 40 & 41 Vict. c. 69.

3. On and after the twenty-fifth day of March one thousand eight hundred and eighty-six, or such later day, not after the twenty-ninth day of September one thousand eight hundred and eighty-six, as Her Majesty in Council may, in the case of any place or places, appoint, the following provisions shall (subject to the savings for vested interests and other provisions contained in this Act) apply to each of the places mentioned in the schedules to this Act to which Her Majesty may not be pleased before the said day to grant a new charter; that is to say,

(*a.*) The place shall not be a corporate town or borough, and any municipal or other corporation thereof existing under any charter or grant or prescription shall be dissolved:

(*b.*) All property of any corporation in the place which is dissolved by this Act, or of any person as member or officer thereof, or of any court or judge whose jurisdiction is abolished by this Act, shall be applied for the public benefit of the inhabitants of the place in such manner as may be for the time being provided by a scheme of the Charity Commissioners, or, in a case where a scheme is made by the Local Government Board, by that scheme, and shall vest in such persons or body corporate as may be specified in such scheme.

(2.) Provided that until any such scheme takes effect the said property shall continue to be held, managed, and enjoyed as heretofore in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, management, and enjoyment, and for that purpose the persons managing the property shall continue in like manner as if they were a body constituted by the scheme for the administration of such property, but the legal estate in the property shall vest in the official trustees.

Saving for new charters and for charities.

4. Nothing in this Act shall prevent the application to any place of any charter applying the Municipal Corporation Acts which Her Majesty may be pleased to grant, or affect anything done in pursuance of those Acts or any scheme thereunder, and shall not affect the operation of any such charter, thing, or scheme; save that nothing in the said Acts or scheme shall authorise the establishment or continuance of any court for the trial of civil actions.

(2.) Nothing in this Act shall affect the right to the benefit of any charity, or shall alter or confer any power of altering the defined charitable purposes (if any) to which any property is by law applicable at the passing of this Act.

Inquiry as to places mentioned in first part of First Schedule.

5. Whereas the Commissioners of 1876 reported that the places mentioned in the first part of the First Schedule to this Act might be dealt with by being subjected to the provisions of the Municipal Corporations Act, 1835, and the Acts amending the same, as if they were mentioned in Schedule B. of the Municipal Corporations Act, 1835: Be it therefore enacted as follows:

(1.) As soon as conveniently may be after the passing of this Act, the Privy Council shall cause an inquiry to be made into the expediency of advising Her Majesty to grant a charter extending the Municipal Corporation Acts to the several places mentioned in the first part of the First Schedule to this Act, and also whether

it is expedient that any adjoining district not included in the existing corporations shall be included in the places to which such charters may be granted, and shall report to Her Majesty thereon.

(2.) The expenses of such inquiry shall be regulated by the Commissioners of Her Majesty's Treasury, and paid out of moneys provided by Parliament.

(3.) Nothing in this section shall require an inquiry to be held with respect to any place with respect to which a similar inquiry has been held since the first day of January one thousand eight hundred and seventy-nine.

Power to Privy Council to preserve certain courts and officers.

6. The Privy Council, upon being satisfied by any applicants after inquiry that it is expedient for the public so to do, may, by order, provide for retaining any court leet or other court or any officer, whether as returning officer for the return of members to serve in Parliament, or as town clerk for the purpose of the registration of parliamentary voters, or otherwise, and for the appointment of any officer so retained, subject in every case to such exceptions, restrictions, and modifications as seem expedient.

(2.) Subject to the provisions of any Order of the Privy Council, any person who at the passing of this Act holds an office by virtue of which he is such returning officer or town clerk as aforesaid may during the time limited for the tenure of his office continue to perform the duties of such returning officer or town clerk as aforesaid, and on the expiration of such time, or his otherwise ceasing to perform the duties, the said duties shall, so far as regards the returning officer, be performed in manner provided by the Act of the session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act to "amend the law relating to the appointment of returning officers "in certain cases," and so far as regards the town clerk shall be performed by the person in the parliamentary borough who is town clerk within the meaning of section one hundred and one of the Parliamentary Registration Act, 1843.

Scheme of Local Government Board respecting places under local boards or improvement commissioners.

7. Whereas there are local boards or improvement commissioners in some of the places mentioned in the First Schedule to this Act, and the Commissioners of 1876 reported that it might be expedient to establish local boards in other of such places: Be it therefore enacted as follows:

(1.) Where any part of any of the places mentioned in any of the schedules to this Act is comprised in the district of any local board or improvement commissioners, whether established before or after the passing of this Act, and Her Majesty is not pleased to grant a charter to such place, the Local Government Board, after such local inquiry as they think expedient, may, at any time before any corporation in the said place becomes abolished by this Act, make such scheme as might be made by the Committee of Council under part eleven of the Municipal Corporations Act, 1882:

45 & 46 Vict. c. 50.

(2.) Sections two hundred and thirteen and two hundred and fourteen of and the Seventh Schedule to that Act shall, so far as is consistent with the tenour thereof, apply accordingly as if they were herein re-enacted, with the substitution of the Local Government Board for the Committee of Council,

and of the said district for borough, and with a limitation to the purposes of this section:

(3.) A scheme may be made as aforesaid for the purpose of amending any previous scheme under this section:

(4.) Sections two hundred and ninety-four, two hundred and ninety-five, and two hundred and ninety-six of the Public Health Act, 1875, shall, so far as is consistent with the tenour thereof, apply to any local inquiry held by order of the Local Government Board for the purposes of this section. 38 & 39 Vict. c. 55.

Power of Charity Commissioners.

8. (1.) The Charity Commissioners may provide, by the appointment of interim trustees and otherwise, for the security and proper management and application of the property, for the application of which such Commissioners have, or may in certain events have, power under this Act to make a scheme.

(2.) If any such property has after the first day of March one thousand eight hundred and eighty-three, and before the date at which a charter or a scheme under this Act, or the Municipal Corporations Act, 1882, as the case may be, takes effect, been alienated by way of sale, mortgage, grant, lease, charge, or otherwise, and such alienation has not been made in pursuance of some covenant, contract, or agreement bonâ fide made or entered into on or before the said first day of March, or of some resolution duly entered in the Corporation books of the Corporation on or before the said first day of March, or in pursuance of any right saved by this Act, and such alienation has been made collusively and for no consideration, or for insufficient consideration, such alienation may be set aside in the like proceedings (instituted with the consent of the Charity Commissioners or of the Attorney-General) and in like manner as a lease of land of a charity granted without due consideration may be set aside: Provided that if a charter is granted or a scheme made whereby the property is affected, the said proceedings shall be commenced within one year after the charter or scheme takes effect.

(3.) Anything authorised by this Act to be done by the Charity Commissioners may be done by an order of those Commissioners, which may be made in like manner as if the property were the endowment of a charity and application had been made as provided by the Charitable Trusts Acts, 1853 to 1869; and an order of the Charity Commissioners may be made at any time after the passing of this Act, so, however, that the order shall not take effect until such date as the Charity Commissioners fix as being, in their opinion, under the circumstances of the case, most consistent with the purposes of this Act. 16 & 17 Vict. c. 137. 32 & 33 Vict. c. 110.

(4.) Any corporation or person directly affected by any order of the Charity Commissioners under this Act in relation to any property made before a scheme under this Act has provided for the application of such property, or directly affected by the order of the Charity Commissioners which first establishes a scheme providing for the application of such property, may, if aggrieved by the order, appeal (except as herein-after provided) to the Privy Council, and the Privy Council after considering the objections to the order and, if it seem necessary, hearing the parties, may make such order as in their opinion the Charity Commissioners ought to have made,

and such order shall have the same effect under this Act as if made by the Charity Commissioners, and an appeal shall not lie to the High Court of Justice under the Charitable Trusts Acts, 1853 to 1869, against any order against which an appeal to the Privy Council can be had in pursuance of this enactment.

(5.) After a scheme has been made under this Act providing for the application of any property the Charitable Trusts Acts, 1853 to 1869, shall apply in all respects as if the scheme were a scheme made in pursuance of those Acts, and the property shall for the purpose of those Acts be deemed to be the endowment of a Charity.

Provision as to property and transfer thereof.

9. (1.) All property by this Act vested in the official trustees or any body corporate or persons shall, so far as the same can be transferred by this Act, be transferred by virtue of this Act, and so far as the same cannot be so transferred, be held in trust for those trustees, body corporate, or persons, and shall be vested for the same estate and interest, and subject to the same liabilities, for and subject to which such property was held at the time immediately before the same becomes so vested.

(2.) For the purposes of this Act the expression "property" includes all property, real and personal, and all things in action, and all rights of common or commonable rights, and rights to toll, and all franchises, privileges, and rights which have any pecuniary value, and all charters, records, deeds, books, and documents, and includes any estate or interest, legal or equitable, in any property as so defined; and all property held, enjoyed, claimed, or administered by any corporation, court, judge, or person shall for the purposes of this Act be deemed to be the property of such corporation or person.

(3.) All powers and duties conferred or imposed by any local Act of Parliament (including a Provisional Order confirmed by Parliament) on, and all trusts administered by, any corporation abolished by this Act, or any officers or nominees of such corporation, either alone or jointly with other persons, shall vest in and be exercised, and performed, and administered by such persons as may be provided by a scheme under this Act, and until such scheme takes effect by the same persons as at the passing of this Act.

(4.) Any question which may arise as to whether anything is property within the meaning of this Act, or as to whether anything is vested in the official trustees or any body corporate or persons as provided by this Act, shall in the first instance be decided by the Charity Commissioners, subject, nevertheless, to an appeal to the High Court of Justice, as provided by section eight of the Charitable Trusts Act, 1860, and such appeal may be presented by any person interested or claiming to be interested in the property, and the provisions of this Act with respect to an appeal to the Privy Council shall not apply.

23 & 24 Vict. c. 136.

Reservation of rights of property and beneficial exemptions to freemen, their wives and children.

10. (1.) Every person who now is or hereafter may be an inhabitant of any borough mentioned in any of the schedules to this Act, and also every person who has been admitted or might hereafter have been admitted a freeman or burgess of any such borough of this Act had not been passed, or who now is or hereafter may be the wife or widow or son or daughter of any freeman or burgess, or who may have espoused or may hereafter espouse the daughter or widow of any freeman or burgess, or who has been or

may hereafter be bound an apprentice, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements, and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of any such borough or any municipal or other corporation thereof, and of any lands, tenements, and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate, of which any person or any corporation may be seised or possessed in whole or in part for any charitable uses or trusts, as fully and effectually, and for such time and in such manner as he or she by any statute, charter, byelaw, or custom in force at the time of passing this Act might or could have had, acquired, or enjoyed in case this Act had not been passed: Provided that—

(*a.*) The total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of municipal officers, and all other lawful expenses, which on the first day of March one thousand eight hundred and eighty-three were defrayed out of or chargeable upon the same:

(*b.*) Nothing herein-before contained shall be construed to apply to any claim, right, or title of any burgesses or freemen, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any borough or corporation; and after the passing of this Act no person shall have or be entitled to claim thenceforward any discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any corporation except as herein-after is excepted:

(*c.*) Nevertheless, every person who on the said first day of March was an inhabitant or was entitled to be admitted a freeman or burgess of any borough mentioned in any of the schedules to this Act, or who on the said first day of March was the wife or widow, son or daughter, of any freeman or burgess of any such borough, or who on the said first day of March was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any borough or corporation as fully and for such time and in such sort as he or she by any statute, charter, byelaw, or custom in force on the first day of March might or would have had, acquired, and enjoyed the same if this Act had not been passed, and no further or otherwise:

(*d.*) Where, by any statute, charter, byelaw, or custom in force at the time of passing this Act within any of the boroughs mentioned in any of the schedules to this Act, any person whose rights in this behalf are herein reserved would have been liable in case this Act had not been passed to pay any fine, fee, or sum of money to any corporation, or to any member, officer, or servant of any corporation, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or

benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee, or sum of money to the treasurer of such borough, elected under the Municipal Corporations Act, 1882, or to such other person as may be appointed in that behalf by a scheme under that Act or under this Act:

(*e.*) Nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which, if this Act had not passed, would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm, or affect any claim, right, or title of any burgesses or freemen of any borough or corporation, or of any person, to the benefit of any such rights as are herein-before reserved, but the same in every case may be brought in question, impeached, and set aside in like manner as if this Act had not been passed.

(2.) From and after the passing of this Act no person shall be elected, made, or admitted a burgess or freeman of any borough mentioned in any of the schedules to this Act by gift or purchase.

(3.) Every scheme under the Municipal Corporations Act, 1882, or this Act, shall, if need be, provide for carrying this section into effect, and for the enrolment of persons from time to time entitled under this section, and a scheme may be made for that purpose or for the purpose of managing any property to which the said persons may be for the time being entitled.

Saving for vested interests.

11. (1.) If any person alleges that he is by virtue of this Act deprived of any emolument or pecuniary profit, or any other profit of a pecuniary value, he may apply to the Local Government Board, and that Board, if satisfied that the allegation is true, and that under all the circumstances the applicant ought, if deprived thereof, to receive compensation for the same, may order that he shall continue to enjoy such emolument or profit, or shall receive such compensation for the same as the Board may think just, and if the compensation is pecuniary, the money shall (and if necessary from time to time) be raised in such manner or paid out of such funds (being, so far as may be, the same manner or funds in or out of which the emolument or profit was previously raised or paid) as the order directs.

(2.) All liabilities of any corporation, court, judge, or officer abolished by this Act, existing at the time of such abolition, shall be discharged out of the same funds and in the same manner, as near as may be, as they would have been if this Act had not passed; and the Local Government Board, on the application of any person interested, may by order provide in such manner as they think expedient for the discharge of such liabilities.

(3.) For the purposes of this section, a rate, toll, or due may continue to be levied, and may be made, assessed, levied, and collected by such persons as the Local Government Board direct, in like manner as if they were the persons who, if this Act had not passed, would have been authorised to make, assess, and levy such rate, toll, or due.

(4.) An order under this section may be made an order of the High Court of Justice, and may be enforced accordingly.

Saving for powers of Committee of Council and Charity Commissioners.

12. Nothing in this Act shall be in derogation of any power otherwise vested in the Committee of Council, or the Charity Commissioners, and the Committee of Council and Charity Commissioners may exercise for the purposes of this Act all powers otherwise vested in them in relation to boroughs and charities respectively.

Saving as to Cinque Ports.

13. With respect to any cinque port or ancient town or member of a cinque port mentioned in the schedules to this Act, the following provisions shall have effect:—

(1.) Nothing in this Act shall diminish the jurisdiction of the Court of Admiralty of the Cinque Ports within the boundaries defined by the Act of the session of the first and second years of the reign of King George the Fourth, chapter seventy-six, intituled "An Act to continue and amend certain Acts for "preventing the various frauds and depredations committed "on merchants, shipowners, and underwriters by boatmen "and others within the jurisdiction of the Cinque Ports; and "also for remedying certain defects relative to the adjust-"ment of salvage under a statute made in the twelfth year "of the reign of Her late Majesty Queen Anne," or of any commissioners appointed in pursuance of that Act:

(2.) Nothing in this Act shall increase the authority or jurisdiction which any cinque port, or any court, justice, or officer of a cinque port, has over any member of a cinque port, notwithstanding that that member is, in pursuance of this Act, no longer corporate:

(3.) The non-corporate members of any such cinque port or ancient town shall form part of the body of the county, and hundred, and other division in which those members are respectively situate.

Saving as to Winchelsea.

14. In the event of a charter not being granted to Winchelsea the property of the corporation of Winchelsea shall continue to be held, managed, and enjoyed as heretofore, in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, management, and enjoyment, and for that purpose the corporation of Winchelsea shall continue undissolved in like manner as if it were constituted by the said scheme; and, notwithstanding anything in this Act, Winchelsea shall continue to be entitled an ancient town of the Cinque Ports.

Provision as to local authorities and officers. 45 & 46 Vict. c. 50.

15. (1.) Every body referred to in the First Schedule to this Act shall, notwithstanding any mistake in the name or description thereof, be subject to this Act, as a corporation, and be deemed to be a local authority within the meaning of section two hundred and thirteen of the Municipal Corporations Act, 1882.

(2.) Any mayor, jurat, recorder, justice of the peace, coroner, bailiff, sergeant, inspector, or constable, or any other officer by whatever name called, having or claiming the authority of any judge or officer above named, shall be deemed to be included in this Act in the expression judge or officer, as the case may be.

(3.) Where in any report of the Commissioners of 1834, or in any report of the Commissioners of 1876, any corporation, court,

sessions, judge, recorder, justice, coroner, constable, inspector, authority, or officer, or any franchise, privilege, right, or exemption, or any property, is mentioned in connexion with any place mentioned in the schedules to this Act, that mention shall be evidence that the same is subject to this Act.

Saving for rights of voting and acts done.

16. (1.) Nothing in this Act shall affect the right enjoyed by any person at the passing of this Act to vote for any member or members to serve in Parliament.

(2.) The abolition by this Act of any jurisdiction shall not affect anything done in pursuance of such jurisdiction before it is abolished; any offence committed before such abolition may be prosecuted, tried, and punished as if the jurisdiction had been abolished at the time when the offence was committed.

Saving for Romney Marsh.

17. Whereas it appears from the Report of the Commissioners of 1876, that doubt exists as to whether the corporation mentioned in Part II. of the First Schedule to this Act, as existing or reputed to exist in Romney Marsh, is a municipal corporation, and it is expedient to make such provision respecting the same and respecting the lords bailiff and jurats of Romney Marsh as herein-after contained: Be it therefore enacted as follows:

(1.) The reputed corporation of the bailiff jurats and commonalty of Romney Marsh shall, notwithstanding anything in this Act, continue to exist, and to elect officers, and to hold the property vested in them, but any such corporation shall not have or exercise any municipal rights or powers; and all property vested in such corporation shall continue to be applicable for the purposes to which it is at present by law applicable or otherwise for the benefit of the inhabitants of the said place.

(2.) Notwithstanding anything in this Act, the bailiff and justices of the corporation of Romney Marsh shall continue to be appointed and elected, as nearly as may be, in like manner as heretofore, and to have authority as justices in like manner as if they were justices assigned by a commission from Her Majesty in a liberty not having a separate court of quarter sessions.

(3.) The reputed corporation of the lords bailiff and jurats of Romney Marsh shall not be deemed a municipal corporation, and notwithstanding anything in this Act shall continue to exist, to elect officers, to hold the property vested in them, and to exercise the same powers as heretofore, and all property vested in such corporation shall continue to be applicable for the purposes to which it is at present by law applicable or otherwise for the benefit of the inhabitants of the said place.

Saving for Havering-atte-Bower.

18. Whereas it appears from the Report of the Commissioners of 1876 that doubt exists whether the corporation of Havering-atte-Bower is a municipal corporation, and whether an Order in Council for the union of Havering-atte-Bower to the county of Essex might be made in pursuance of the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter one hundred and five, intituled "An Act for "facilitating the union of liberties with the counties in which they "are situate," upon the petition of the justices of the said county,

without any petition from the justices of Havering-atte-Bower: Be it therefore enacted as follows:

Nothing in this Act shall be deemed to apply to Havering-atte-Bower or to the justices or corporation or reputed corporation thereof, save that it shall be lawful that an Order in Council be made for uniting Havering-atte-Bower to the county of Essex, in pursuance of the recited Act, upon the petition either of the justices of the said county or of the justices of Havering-atte-Bower.

Saving for Local Act relating to Alnwick.

19. Notwithstanding anything in this Act, the corporation referred to in the Alnwick Corporation Act, 1882, shall continue to be a corporation and to hold and administer the property vested in such corporation at the passing of this Act, and shall apply the same for the purposes mentioned in the said Alnwick Corporation Act, 1882, and the maintenance as heretofore of the Corporation schools, or for any other public or charitable purposes; and the provisions of this Act with respect to an inquiry by the Privy Council or the Local Government Board, or with respect to a scheme by the Local Government Board, shall not apply to Alnwick, and this Act shall not affect the provisions of the said Alnwick Corporation Act, 1882.

Saving as to Laugharne and Malmesbury.

20. Whereas in Laugharne and Malmesbury divers members of the Corporation, whether called burgesses, landholders, or any other name, have the right to occupy without rent or at low rents certain property belonging to the Corporation, and it is expedient to make provision with respect to such property, be it enacted as follows:

(1.) In the event of a charter not being granted to Laugharne or Malmesbury, the property of the corporation of the place to which a charter is not so granted shall continue to be held, managed, and enjoyed as heretofore, in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, enjoyment, and management, and for that purpose the corporation in the said place shall continue undissolved in like manner as if it were constituted by the said scheme.

(2.) The corporation of such place, subject to the approval of the Charity Commissioners, may sell all or any of the property of the corporation for the best price that may be got for the same; and, after compensating or saving the rights of any person in such property, whether existing or prospective, may pay the proceeds to any public authority in the locality, to be applied by such authority for the benefit of the inhabitants of the said place.

(3.) The provisions of this Act and of the Municipal Corporations Act, 1882, for saving the rights and interests of freemen and of persons who might have become freemen shall extend to the rights and interests of persons who are or if this Act had not passed might have become landholders, assistant burgesses, or capital burgesses in Malmesbury, and for that purpose freemen of Malmesbury may continue to be elected landholders, assistant burgesses, and capital burgesses.

Saving for Newport, Pembroke.

21. Whereas it appears from the report of the Commissioners of 1876 that the office of mayor of Newport (Pembroke) is purely

honorary, and that the corporation has no revenue and no municipal function: Be it therefore enacted as follows:

Nothing in this Act shall be deemed to prevent the election of the mayor of Newport (Pembroke) as heretofore, or to dissolve the corporation of Newport (Pembroke), or deprive the lord of the manor or the burgesses of any tolls, rights of common, or other rights of a pecuniary value.

Saving for Over.

22. Whereas it appears from the Report of the Commissioners of 1876 that the corporation of Over has no revenue, and no municipal function, and that the mayor of Over, elected at the court leet, has a magisterial but no other jurisdiction: Be it therefore enacted as follows:

Nothing in this Act shall be deemed to prevent the holding of the court leet, and the election by such court of the mayor of Over as heretofore, but such mayor shall not, as such, have the jurisdiction of a justice, whether for criminal, licensing, or any other purpose.

Saving for Altrincham.

23. Whereas it appears from the report of the Commissioners of 1876 that the corporation of Altrincham has no municipal function, and that the mayor of Altrincham elected at the court leet has no jurisdiction, be it therefore enacted as follows:

Nothing in this Act shall be deemed to prevent the holding of the court leet and the election by such court of the mayor of Altrincham as heretofore, but such mayor shall not have any jurisdiction magisterial, municipal, or other.

Saving for lord of the manor of Corfe Castle.

24. Nothing in this Act shall deprive the lord of the manor of Corfe of any title enjoyed by him under any charter.

Saving for certain rights.

25. (1.) Nothing in this Act shall diminish the liability of the owner or occupier of any tenement to any rent or sum payable under any charter granted to any corporation mentioned in the Schedules to this Act, and any person entitled to receive such rent or sum shall have the same right and remedy for recovering the same as prior to the passing of this Act, and also upon the abolition by this Act of the corporation under the charter shall have the power of such corporation or of any officer of such corporation to enforce payment of such rent or sum.

(2.) The provisions of this section and of the other parts of this Act for protecting the rights of persons interested shall have effect in favour of Her Majesty, her heirs and successors, and of any body corporate, not being a corporation abolished by this Act, in like manner as if Her Majesty, her heirs and successors, and such body corporate, were included in the term person.

(3.) Nothing in this Act shall affect the legal proceedings pending at the passing of this Act on the information of the Attorney General against the corporation of the mayor and burgesses of Holt, and certain members of that corporation, and for the purpose of such proceedings the said corporation shall continue to be and to act as a corporation, and the mayor, bailiffs, and burgesses shall continue to be elected and appointed in like manner as if this Act had not passed, and any liabilities of such corporation under any judgment, decree, or order in such legal proceedings shall be deemed for the purposes of this Act to be liabilities of the corporation existing at the time of the abolition thereof.

26. (1.) So much of any Act, law, charter, or usage as is inconsistent with this Act is hereby repealed. Repeal of Acts and charters.

(2.) The Act of the session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter seventy-one, intituled "An Act to amend the law concerning the making of "borough rates in boroughs not within the Municipal Corporation "Acts," shall, on and after the first day of January one thousand eight hundred and eighty-six, or such later day, not after the first day of September one thousand eight hundred and eighty-six, as Her Majesty in Council may appoint, be repealed, without prejudice to any rate previously made in pursuance of that Act, and without prejudice to the making of any rate which is by this Act authorised to be made; and any such rate may be made, levied, collected, and applied, as nearly as may be, as if the said Act had not been repealed.

27. In this Act, unless the context otherwise requires,— Definitions.

The expression "Privy Council" means the Lords of Her Majesty's most Honourable Privy Council, or any two of them;

The expression "Committee of Council" means a Committee of the said Lords:

The expression "Municipal Corporation Acts" has the same meaning as in the Municipal Corporations Act, 1882: 45 & 46 Vict. c. 50.

The expression "Charity Commissioners" means the Charity Commissioners for England and Wales:

The expression "official trustees" means, as respects real property the official trustee of charity lands, and as respects all other property the official trustees of charitable funds, acting under the Charitable Trusts Acts, 1853 to 1869. 16 & 17 Vict. c. 137. 32 & 33 Vict. c. 110.

SCHEDULES.

FIRST SCHEDULE.

PLACES REPORTED ON BY THE COMMISSIONERS OF 1876.

PART I.

Places to which the Commissioners of 1876 *consider that the Municipal Corporation Acts might be applied.*

Places.	Corporation or reputed Corporation.
Aldeburgh	"The bailiff and burgesses of the borough of Aldeburgh."
Alnwick	"The chamberlains, common council, and freemen."
Appleby	"The mayor, aldermen, and capital burgesses."
Bishop's Castle	"The bailiff and burgesses of the borough of Bishop's Castle."
Bradninch	"The mayor and burgesses of the borough of Bradninch."
Christchurch	"The mayor and burgesses of the borough of Christchurch."
Henley-on-Thames.	"The mayor, aldermen, bridgemen, and burgesses of Henley-on-Thames."
Kidwelly	"The mayor, aldermen, bailiffs, and burgesses."
Llanfyllin	"The bailiffs and burgesses of the borough of Llanfyllin."
Lostwithiel	"The mayor and burgesses of Lostwithiel."
Lydd	"The bailiffs, jurats, and commonalty of the town of Lydd."
Malmesbury	"The aldermen and burgesses of the borough of Malmesbury."
Montgomery	"The bailiffs and burgesses of the borough of Montgomery."

Places.	Corporation or reputed Corporation.
New Romney	"The mayor, jurats, and commonalty of the town and port of New Romney."
Okehampton	"The mayor and burgesses of the town and borough of Okehampton."
Over	"The mayor of Over."
Queenborough	"The mayor, jurats, bailiffs, and burgesses of Quinborowe."
Radnor	"The bailiff, aldermen, and burgesses of New Radnor."
Saltash	"The mayor and free burgesses of the borough of Saltash."
Sutton Coldfield	"The warden and society of the royal town of Sutton Coldfield."
Wareham	"The mayor, capital burgesses, and assistants of the borough of Wareham."
Wilton	"The mayor and burgesses of the borough of Wilton."
Wokingham	"The aldermen and burgesses of the town of Wokingham."
Woodstock	"The mayor and commonalty of the borough of New Woodstock."
Wootton Bassett	"The mayor, aldermen, and burgesses of the borough of Wootton Bassett."

PART II.

Places not mentioned by the Commissioners of 1876 *as places to which the Municipal Corporation Acts might be applied.*

Places.	Corporation or reputed Corporation.
Alresford	"Bailiff and burgesses of New Alresford."
Altrincham	"The mayor, aldermen, and burgesses of the borough of Altrincham."
Axbridge	"The mayor, aldermen, and burgesses of the borough of Axbridge."
Berkeley	"The mayor and aldermen of the borough of Berkeley."
Bovey Tracey	"The mayor and freeholders of Bovey Tracey."
Brackley	"The mayor, aldermen, and burgesses of the borough of Brackley."
Brading	"The bailiffs, burgesses, and commoners of the borough of Brading."
Camelford	"The mayor and burgesses of the vill of Camelford."
Chipping Campden	"The high steward, deputy steward, treasurer, senior bailiff, junior bailiff, and capital and inferior burgesses of Chipping Campden."
Corfe Castle	"The mayor, barons, and inhabitants of Corfe."
Cowbridge	"The bailiffs, aldermen, and burgesses of the town of Cowbridge."
Dinas Mowddwy	"The mayor and burgesses of Dinas Mowddwy."
Dunwich	"The bailiffs, burgesses, and commonalty of the borough and corporation of Dunwich."
Dursley	"The bailiff and aldermen of Dursley."
East Looe	"The mayor and free burgesses of the borough of East Looe."
Fordwich	"The mayor, jurats, and commonalty of the town of Fordwich."
Garstang	"The bailiff and burgesses of the borough of Garstang."
Great Dunmow	"The bailiff and burgesses of the borough of Great Dunmow."
Harton	"The portreeve and burgesses of Harton."
Havering-atte-Bower.	"The tenants and inhabitants of the lordship or manor of Havering-atte-Bower."
Higham Ferrers	"The mayor, aldermen, and burgesses of the borough and parish of Higham Ferrers."
Holt	"The mayor and burgesses of Holt."
Ilchester	"The bailiff and burgesses of Ilchester."
Kenfig	"The constable of the castle, portreeve, and burgesses of Kenfig."
Kilgerran	"The portreeve and burgesses of Kilgerran."
Lampeter	"The burgesses of the borough of Lampeter Pont Stephen."
Langport Eastover	"The portreeve and commonalty of the borough of Langport."
Laugharne	"The portreeve and burgesses of the town and corporation of Laugharne."
Llantrissant	"The constable of the castle, portreeve, aldermen, and burgesses of Llantrissant."

Places.	Corporation or reputed Corporation.
Loughor	"The portreeve, aldermen, and burgesses of the borough of Loughor."
Marazion	"The mayor, burgesses, and inhabitants of the town of Marazion."
Nevin	"The mayor, bailiffs, and burgesses of the town and borough of Nevin."
Newport (Salop)	"The high steward, bailiffs, and burgesses of Newport."
Newport (Pembroke).	"The mayor, aldermen, and burgesses of the borough of Newport."
Orford	"The mayor and commonalty of the borough of Orford."
Overton	"The burgesses of Overton."
Petersfield	"The mayor of Petersfield."
Pevensey	"The bailiff, jurats, and commonalty of the town and liberty of Pevensey."
Romney Marsh	"The bailiff, jurats, and commonalty."
St. Clear's	"The burgesses and commonalty of St. Clear's."
Seaford	"The bailiff, jurats, and freemen of the town and port of Seaford."
Thornbury	"The bailiff and aldermen of Thornbury."
Usk	"The portreeve and burgesses of Usk."
Westbury	"The mayor and burgesses of Westbury."
Wickwar	"The mayor and aldermen of Wickwar."
Winchcomb	"The bailiffs and burgesses of Winchcomb."
Winchelsea	"The mayor, jurats, and commonalty of the ancient town of Winchelsea."
Wootton-under-Edge.	"The mayor and aldermen of Wootton-under-Edge."
Yarmouth (Isle of Wight).	"The mayor and chief burgesses of the borough of Yarmouth."

NOTE.—Since the report of the Commissioners a charter has been granted to the town of Lewes.

SECOND SCHEDULE.

Places in which the Commissioners of 1876 *report that a Municipal Corporation has not existed or has become virtually extinct.*

PART I.

Places mentioned in paragraph (15) *of the Report of the Commissioners of* 1876 *as places which either have not been municipal or have long since ceased to be so:*

Bala.
Bangor.
Bridlington.
Chipping Sodbury.
Criccieth.
Crickhowell.
Farnham.
Fishguard.
Fowey.
Grampound.
Harlech.
Hay.
Machynlleth.
Midhurst.
Newborough.
Newton (Lancashire).
Presteign.
Ruyton.
St. David's.
Tavistock.
Weobley.
Wiston.

PART II.

Places mentioned in paragraph (16) *of the Report of the Commissioners of* 1876 *as having had municipal corporations in* 1835 *:*

Bossinny.
Caerwys.
Castle Rising.
Clun.
Llanelly.
Newtown (Isle of Wight).
Plympton Earle.
Rhuddlan.
Tregony.
West Looe.

CHAPTER 19.

An Act to amend the Medical Act (1858).

[16th July 1883.]

WHEREAS by an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, entitled "The Medical Act," a Council, entitled "The General Council of Medical Education and Registration of the United Kingdom," was established; and by the same Act it was provided that such Council should consist of twenty-three persons, of whom six were to be nominated by Her Majesty, with the advice of Her Privy Council, and the rest by certain universities and medical bodies therein named, and among such universities the Queen's University in Ireland was empowered to choose one member of the said Council: and whereas by an Act passed in the forty-second and forty-third years of Her Majesty's reign, entitled "The University Education (Ireland) Act, 1879," it was provided that it should be lawful for Her Majesty by charter to found an university in Ireland, which should be one body politic and corporate, by such name as Her Majesty should appoint; and by the said Act it was also provided that upon a day within a period of two years from the granting of any such charter, to be fixed by the Lord Lieutenant by order made by and with the advice and consent of the Privy Council in Ireland, the Queen's University in Ireland should be dissolved: and whereas by charter dated twenty-seventh day of April one thousand eight hundred and eighty Her Majesty, pursuant to the power by said last-recited Act conferred, did constitute a university, which should be one body politic and corporate, by the name of the Royal University of Ireland: and whereas, subsequently, a day for this purpose having been duly fixed by the Lord Lieutenant of Ireland, by order made with the advice and consent of the Privy Council in Ireland, the Queen's University in Ireland has been dissolved, and the right enjoyed by the said University to nominate a member of the aforesaid Medical Council has for the future ceased to exist: and whereas it is expedient to confer upon the said Royal University of Ireland the power to appoint a member of the aforesaid Medical Council in the same manner as the Queen's University in Ireland was heretofore entitled:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Royal University empowered to choose one member of General Medical Council.

1. The Royal University of Ireland shall henceforth have, enjoy, and exercise the power to choose one person to be a member of the General Council of Medical Education and Registration of the United Kingdom in the same manner and as fully and subject to the same regulations and conditions as the said Queen's University in Ireland until its dissolution enjoyed and exercised the same; and such person shall have the same authority, and perform the same duties as the person formerly elected a member of said Council by the Queen's University in Ireland, the first appointment to take

effect from the time when the existing appointment made by the Queen's University in Ireland shall expire and cease to have effect.

2. This Act may be cited for all purposes as the Medical Act (1858) Amendment Act, 1883. Short title.

CHAPTER 20.

An Act to amend the Law relating to the Registry of Deeds Office, Ireland. [16th July 1883.]

WHEREAS by an Act of the session of the second and third years of the reign of King William the Fourth, chapter eighty-seven, intituled "An Act to regulate the Office for regis- "tering Deeds, Conveyances, and Wills in Ireland," by section six of the said Act it is enacted as follows:

"That after the said thirty-first day of December one thousand
" eight hundred and thirty-two the said register office shall be
" kept open for business from the hour of ten in the forenoon
" until the hour of four in the afternoon of every day in the
" year, excepting Sundays, Christmas Day, and Good Friday,
" and days of Public Fast or Thanksgiving:"

And whereas it is expedient to amend the said section:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. From and after the passing of this Act the said register office shall be kept open for business from the hour of ten in the forenoon until the hour of four in the afternoon of every day in the year, excepting Saturdays, on which days the office shall be closed at the hour of two in the afternoon; provided that the office shall be kept closed on Sundays, Good Friday, Easter Monday, Whitsun Monday, Christmas Day, and the two week days next after Christmas Day, and on days of Public Fast or Thanksgiving. Alteration of hours of business in register office.

2. This Act may be cited for all purposes as the Registry of Deeds Office (Ireland) Holidays Act, 1883. Short title.

CHAPTER 21.

An Act to continue certain Turnpike Acts, and to repeal certain other Turnpike Acts; and for other purposes connected therewith. [2nd August 1883.]

WHEREAS it is expedient to continue for limited times some of the Acts herein-after specified, and to repeal others:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Acts specified in the first and second columns of the first schedule annexed hereto shall, to the extent specified in the third column thereof, continue in force until the first day of September, one thousand eight hundred and eighty-three, and no longer. Schedule 1.

2. The Acts specified in the first and second columns of the second schedule annexed hereto shall, to the extent specified in Schedule 2.

the third column thereof, continue in force until the first day of November, one thousand eight hundred and eighty-three, and no longer.

Schedule 3.

3. The Acts specified in the first and second columns of the third schedule annexed hereto shall, to the extent specified in the third column thereof, be repealed on and after the first day of November, one thousand eight hundred and eighty-three.

Provided that so much of the road from Shrewsbury to Holyhead as is situate in the county of Salop, being that portion of the said road in relation whereto the said Acts are repealed by this section, shall upon such repeal become a main road within the meaning of the Highways and Locomotives (Amendment) Act, 1878; and, in conformity with and subject to the provisions of that Act, one half of the expenses incurred from and after the first day of November, one thousand eight hundred and eighty-three by the highway authority in the maintenance of such main road, shall, as to every part thereof which is within the limits of any highway area, be paid to the highway authority of such area by the county authority.

41 & 42 Vict. c. 77.

Terms used in this section shall have the same meaning as in the Highways and Locomotives (Amendment) Act, 1878.

Schedule 4.

4. The Act specified in the first and second columns of the fourth schedule annexed hereto shall, as from the date specified in the third column thereof, be subject to the modifications specified in the fourth column thereof, and shall, as so modified, continue in force until the first day of November, one thousand eight hundred and eighty-six, and no longer: Provided that, if the tolls should cease to be levied upon the roads to which the said Act is applicable before the first day of November, one thousand eight hundred and eighty-six, in pursuance of an Order made by the Local Government Board under section fifteen of the Turnpike Acts Continuance Act, 1873, the said Act shall in that case expire on the date when the tolls shall so cease to be levied.

Schedule 5.

5. The Act specified in the first and second columns of the fifth schedule annexed hereto shall, to the extent specified in the third column thereof, as from the date specified in the fourth column thereof, be subject to the modifications specified in the fifth column thereof, and shall to the same extent, as so modified, continue in force until the first day of November, one thousand eight hundred and eighty-four, and no longer, unless Parliament in the meantime otherwise provides.

Schedule 6.

6. The Acts specified in the sixth schedule annexed hereto shall continue in force until the first day of November, one thousand eight hundred and eighty-four, and no longer, unless Parliament in the meantime otherwise provides.

Schedule 7.

7. The Acts specified in the first and second columns of the seventh schedule annexed hereto shall, to the extent specified in the third column thereof, be repealed on and after the first day of November, one thousand eight hundred and eighty-four, unless Parliament in the meantime otherwise provides, due regard being had to local requirements, and to the special circumstances of the trust.

Continuance of all other Turnpike Acts.

8. All other Acts now in force for regulating, making, amending, or repairing any turnpike road which will expire at or before the

end of the next session of Parliament, shall continue in force until the first day of November, one thousand eight hundred and eighty-four, and to the end of the then next session of Parliament, unless Parliament in the meantime otherwise provides; but this section shall not affect any Act continued to a specified date and no longer, or any Act which is to be repealed at a specified time.

Extent of Act.

9. This Act shall not apply to Scotland or Ireland.

Short title.

10. This Act may be cited for all purposes as the Annual Turnpike Acts Continuance Act, 1883.

SCHEDULES.

SCHEDULES 1, 2, 3, AND 4.

County.	Name of Trust.	No. of Schedule.	No. of Act.
Cumberland-	Carlisle and Eamont Bridge, Northern Division -	2	6
	Glasgow and Carlisle (part) - - - -	1	1, 2, 3, 4, 5
Devon -	Tiverton - - - - - -	2	8
Kent -	Biddenden to Boundgate - - - -	2	7
Lancaster -	Oldham and Ripponden - - - -	2	9
Northumber-	Berwick, Norham, and Islandshires - - -	2	11
land.	Ford and Lowick - - - - -	4	17
Salop -	Shrewsbury and Holyhead (part) - - -	3	13,14,15,16
Surrey -	Kingston and Leatherhead - - - -	2	10
York -	Rotherham and Wortley - - - -	2	12

FIRST SCHEDULE.

Acts which to the extent specified are to continue in force until the 1st of September 1883, and no longer.

Date of Act.	Title of Act.	Extent to which Act is continued.
56 Geo. 3. c. lxxxiii.-	1. An Act for improving the road from the city of Glasgow to the city of Carlisle -	So far as regards that portion of the road from Glasgow to Carlisle which is situate in the county of Cumberland.
58 Geo. 3. c. xliv. -	2. An Act to alter the application of part of the sum of fifty thousand pounds granted by an Act passed in the fifty-sixth year of the reign of His present Majesty, intituled An Act for improving the road from the city of Glasgow to the city of Carlisle -	
59 Geo. 3. c. xc. -	3. An Act for altering and amending two Acts passed in the fifty-sixth and fifty-eighth years of the reign of His present Majesty, for improving the road from the city of Glasgow to the city of Carlisle - -	
1 & 2 Geo. 4. c. cxxvii.	4. An Act for enlarging, explaining, and amending the powers granted by certain Acts passed for improving the road from the city of Glasgow to the city of Carlisle	
2 Will. 4. c. c. -	5. An Act for amending and enlarging the powers, and renewing the term granted by certain Acts passed for improving the communication between the city of Glasgow and the city of Carlisle - - -	

SECOND SCHEDULE.

Acts which to the extent specified are to continue in force until the 1st of November 1883, and no longer.

Date of Act.	Title of Act.	Extent to which Act is continued.
22 & 23 Vict. c. xxv. -	6. An Act to repeal an Act passed in the eleventh year of the reign of King George the Fourth, chapter one hundred and ten, intituled "An Act for more effectually "repairing the road from Carlisle to Pen- "rith, and from Penrith to Eamont Bridge, "in the county of Cumberland," and to make other provisions in lieu thereof.	So far as regards the "Northern Division" of the road.
24 Vict. c. v. -	7. An Act to continue the Biddenden Turnpike Trust in the county of Kent; and for other purposes.	The whole Act.
24 Vict. c. xix. -	8. An Act to repeal an Act of the eleventh year of the reign of King George the Fourth, for improving several roads and making certain new roads in the counties of Devon and Somerset leading to and from the town of Tiverton, and for amending an Act of His present Majesty for repairing several roads leading from and through the town of Wiveliscombe, and to make other provisions in lieu thereof.	The whole Act.
24 Vict. c. xxv. -	9. An Act to repeal an Act for more effectually amending the road from Oldham, in the county of Lancaster, to Ripponden, in the county of York, and other roads in the same counties, and for making and maintaining a new branch to communicate therewith, and to make other provisions in lieu thereof, so far as regards the said road from Oldham to Ripponden, and the other roads already made in connexion therewith.	The whole Act.
24 Vict. c. xxvii. -	10. An Act for extending the term and amending the provisions of the Act relating to the Kingston-upon-Thames and Leatherhead turnpike road, in the county of Surrey.	The whole Act.
24 Vict. c. lix. -	11. An Act for maintaining certain roads and bridges in the county of the borough and town of Berwick-upon-Tweed and counties of Northumberland and Berwick, and for the liquidation of the debt due on the security of the tolls taken on the said roads and bridges.	The whole Act.
25 & 26 Vict. c. cxix.	12. An Act for the Rotherham and Wortley turnpike road, in the West Riding of the county of York.	The whole Act.

THIRD SCHEDULE.

Acts which to the extent specified are to be repealed on and after the 1st of November 1883.

1. Date of Act.	2. Title of Act.	3. Extent of Repeal.
59 Geo. 3. c. 30 -	13. An Act for vesting in Commissioners the line of road from Shrewsbury, in the county of Salop, to Bangor Ferry, in the county of Carnarvon, and for discharging the trustees under several Acts of the seventeenth, twenty-eighth, thirty-sixth, forty-first, forty-second, forty-seventh, and fiftieth years of His present Majesty, from the future repair and maintenance thereof; and for altering and repealing so much of the said Acts as affects the said line of road.	
59 Geo. 3. c. 48 -	14. An Act to amend an Act passed in the fifty-fifth year of His present Majesty for granting to His Majesty the sum of twenty thousand pounds towards repairing roads between London and Holyhead by Chester, and between London and Bangor by Shrewsbury, and for giving additional powers to the Commissioners therein named to build a bridge over the Menai Straits, and to make a new road from Bangor Ferry to Holyhead, in the county of Anglesea.	So far as the same relate to that portion of the road from Shrewsbury to Holyhead which is situate in the county of Salop.
5 & 6 Will. 4. c. 21 -	15. An Act to amend and alter an Act of the fifty-ninth year of His late Majesty King George the Third, for vesting in commissioners the line of road from Shrewsbury, in the county of Salop, to Bangor Ferry, in the county of Carnarvon; and for discharging the trustees under several Acts of the seventeenth, twenty-eighth, thirty-sixth, forty-first, forty-second, forty-seventh, and fiftieth years of His then present Majesty, from the future repair and maintenance thereof; and for repealing so much of the said Acts as affects the said line of road.	
3 & 4 Vict. c. 104 -	16. An Act to transfer to the Commissioners of Her Majesty's Woods and Works, and other commissioners, the several powers now vested in the commissioners for repairing the line of road from Shrewsbury, in the county of Salop, to Bangor Ferry, in the county of Carnarvon; and to amend the London and Holyhead Roads Acts, so far as relates to the Dunstable Road.	

FOURTH SCHEDULE.

Act which is to continue in force until the 1st of November 1886, or to the date when the tolls shall cease to be levied, and no longer, subject to modifications.

1. Date of Act.	2. Title of Act.	3. Date from which Modifications are to commence.	4. Modifications.
30 Vict. c. lxxxiv.	17. An Act for maintaining certain roads and bridges in the county of Northumberland, called the Ford and Lowick turnpikes, and for the liquidation of the debt due on the security of the tolls taken at the said roads and bridges.	1 November 1883.	No interest payable. No money to be expended from the tolls in the repair of the roads. Salaries not to exceed 50*l.* per annum.

SCHEDULES 5, 6 AND 7.

County.	Name of Trust.	No. of Schedule.	No. of Act.
Derby	Birkin Lane	6	12
	Sheffield and Chapel-en-le-Frith	6	11
	Tupton and Ashover	6	12
Gloucester	Haw Bridge	6	6
	Tewkesbury, Severn Bridge	5	1
Hants	Winchester Road	6	9
Kent	Folkestone and Barham	6	8
Lancaster	Manchester and Ashton-under-Lyne	6	5
	Manchester and Salter's Brook	6	2, 3
Notts	Retford and Gainsborough	6	7
Sussex	New Chappel, Lindfield, and Brighton	6	10
York	Ferrybridge and Boroughbridge	6	4
Anglesey, Carnarvon, Denbigh, Merioneth	Shrewsbury and Holyhead (part)	7	13, 14, 15, 16
Flint	Flint, Holywell, and Mostyn	7	17

FIFTH SCHEDULE.

Act which is to continue in force, subject to modifications, until the 1st November 1884, and no longer, unless Parliament in the meantime otherwise provides.

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Date from which Modifications are to commence.	5. Modifications.
13 & 14 Vict. c. lxvi.	1. An Act for continuing the term of an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, intituled, An Act for building a bridge over the River Severn at or near to the Mythe Hill, within the parish and near to the town of Tewkesbury, in the county of Gloucester, to the opposite side of the said river, in the parish of Bushley, in the county of Worcester, and for making convenient roads and avenues to communicate with such bridge, within the counties of Gloucester and Worcester, and of another Act passed in the seventh year of the reign of His late Majesty King George the Fourth, intituled an Act for altering, amending, and enlarging the powers and provisions of an Act relating to the Tewkesbury Severn Bridge and Roads, for the purpose of paying off the debt now due on the said bridge and roads.	So far as the same relates to the bridge over the River Severn at or near the Mythe Hill.	1st November 1883.	No interest payable. Return toll upon horses drawing to be abolished.

SIXTH SCHEDULE.

Acts which are to continue in force until 1st November 1884, and no longer, unless Parliament in the meantime otherwise provides.

Date of Act.	Title of Act.
7 Geo. 4. c. xvi. -	2. An Act for more effectually repairing and improving the roads from Manchester in the county palatine of Lancaster to Salter's Brook, in the county palatine of Chester, and for making and maintaining several extensions or diversions of road, and a new branch of road to communicate therewith.
3 Will. 4. c. lvii. -	3. An Act to amend an Act passed in the seventh year of the reign of His late Majesty King George the Fourth, for repairing the roads from Manchester to Salter's Brook, and for making several roads to communicate therewith, and also for making a certain new extension or diversion of the said roads instead of a certain extension or diversion by the said Act authorised to be made.
5 & 6 Vict. c. lxxxvi.	4. An Act for repairing, improving, and maintaining the road leading from Ferrybridge, through Wetherby, to Boroughbridge in the county of York.

Date of Act.	Title of Act.
14 Vict. c. xli. -	5. An Act to continue the term of the Act of the sixth year of George the Fourth, chapter fifty-one (Local), so far as relates to the turnpike road between Manchester and Audenshaw in the parish of Ashton-under-Lyne, all in the county palatine of Lancaster, and to make better provision for the repair of the road; and for other purposes.
15 Vict. c. lix. -	6. An Act for continuing the term and amending and extending the provisions of the Acts relating to the Haw Passage Bridge in the county of Gloucester.
24 Vict. c. vi. -	7. An Act to repeal the Act for more effectually repairing and improving the road from the west end of Gainsburgh Bridge to East Retford, and to Grigley-on-the-Hill in the county of Nottingham, and to make other provisions in lieu thereof.
25 Vict. c. vi. -	8. An Act for extending the term and amending the provisions of the Acts relating to the Folkestone to Barham Downs turnpike road in the county of Kent.
25 Vict. c. xii. -	9. An Act for the Winchester Road in the county of Southampton.
25 & 26 Vict. c. lix. -	10. An Act to repeal the Act relating to the New Chappel, Lindfield and Brighton, and Ditcheling and Clayton Roads, and to make other provisions in lieu thereof.
25 & 26 Vict. c. cxxxiv.	11. An Act to repeal the Act "for repealing two Acts for repairing "the road from Little Sheffield in the county of York to Sparrow "Pit Gate in the county of Derby, and also an Act for making "a road from Banner Cross in the West Riding of the county "of York to Fox House in the county of Derby, and for consolidating the trusts of certain roads mentioned in the said "Acts, and for amending and making certain other roads to "communicate therewith, and for other purposes;" and to make other provisions in lieu thereof.
25 & 26 Vict. c. cxlvii.	12. An Act for more effectually repairing certain roads called "The Tupton and Ashover Road," and "The Birkin Lane Road," in the county of Derby.

SEVENTH SCHEDULE.

Acts which to the extent specified are to be repealed on and after the 1st of November 1884, unless Parliament in the meantime otherwise provides.

1. Date of Act.	2. Title of Act.	3. Extent of Repeal.
59 Geo. 3. c. 30 -	13. An Act for vesting in Commissioners the line of road from Shrewsbury, in the county of Salop, to Bangor Ferry, in the county of Carnarvon, and for discharging the trustees under several Acts of the seventeenth, twenty-eighth, thirty-sixth, forty-first, forty-second, forty-seventh, and fiftieth years of His present Majesty, from the future repair and maintenance thereof; and for altering and repealing so much of the said Acts as affects the said line of road.	

1. Date of Act.	2. Title of Act.	3. Extent of Repeal.
59 Geo. 3. c. 48 -	14. An Act to amend an Act passed in the fifty-fifth year of His present Majesty for granting to His Majesty the sum of twenty thousand pounds towards repairing roads between London and Holyhead by Chester, and between London and Bangor by Shrewsbury, and for giving additional powers to the Commissioners therein named to build a bridge over the Menai Straits, and to make a new road from Bangor Ferry to Holyhead, in the county of Anglesea.	So far as the same relate to that portion of the road from Shrewsbury to Holyhead which is situate in the counties of Anglesey, Carnarvon, Denbigh, and Merioneth.
5 & 6 Will. 4. c. 21 -	15. An Act to amend and alter an Act of the fifty-ninth year of His late Majesty King George the Third, for vesting in commissioners the line of road from Shrewsbury, in the county of Salop, to Bangor Ferry, in the county of Carnarvon; and for discharging the trustees under several Acts of the seventeenth, twenty-eighth, thirty-sixth, forty-first, forty-second, forty-seventh, and fiftieth years of His then present Majesty, from the future repair and maintenance thereof; and for repealing so much of the said Acts as affects the said line of road.	
3 & 4 Vict. c. 104 -	16. An Act to transfer to the Commissioners of Her Majesty's Woods and Works, and other commissioners, the several powers now vested in the commissioners for repairing the line of road from Shrewsbury, in the county of Salop, to Bangor Ferry, in the county of Carnarvon; and to amend the London and Holyhead Roads Acts, so far as relates to the Dunstable Road.	
26 Vict. c. xxx. -	17. An Act for more effectually repairing and improving the several roads comprised in the Flint, Holywell and Mostyn Districts of roads; and for reviving and extending the powers for the construction of certain new roads; and for other purposes.	The whole Act.

CHAPTER 22.

An Act to carry into effect an International Convention concerning the Fisheries in the North Sea, and to amend the laws relating to British Sea Fisheries.

[2nd August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as the Sea Fisheries Act, 1883. Short title.

Confirmation of Convention.

Confirmation of Convention.

2. The Convention set out in the first schedule to this Act (referred to in this Act as the Convention) is hereby confirmed, and the Articles thereof shall be of the same force as if they were enacted in the body of this Act.

Fishery Regulations.

Power to Her Majesty, by Orders in Council, to make, &c. regulations for execution of Act and maintenance of order.

3. It shall be lawful for Her Majesty from time to time, by Order in Council, to make, alter, and revoke regulations for carrying into execution this Act, and the intent and object thereof, and for the maintenance of good order among sea fishing boats, and the persons belonging thereto, and to impose fines not exceeding ten pounds for the breach of such regulations.

Punishment for violation of Articles 13 to 22 of Convention, and for other offences.

4. If within the exclusive fishery limits of the British Islands any person, or if outside those limits any person belonging to a British sea-fishing boat,

(*a.*) acts in contravention of Articles thirteen to twenty-two (both inclusive) of the first schedule to this Act, or any of them; or,

(*b.*) causes injury to any person in any one or more of the following ways, namely, by assaulting any one belonging to another sea-fishing boat, or by causing damage to another sea-fishing boat, or to any property on board thereof, or belonging thereto; or

(*c.*) fishes for oysters or has on board his boat any oyster dredge within any seas and during any time within and during which oyster fishing is prohibited by law, or by any convention, treaty, or arrangement to which this Act may be hereafter applied;

such person shall be liable, on summary conviction, to a fine not exceeding fifty pounds, or, in the discretion of the court, to imprisonment for a term not exceeding three months, with or without hard labour.

Punishment for violation of Article 23 of Convention.

5. If within the exclusive fishery limits of the British Islands, any person, or if outside those limits any person belonging to a British sea-fishing boat,

(*a.*) Uses any instrument for the purpose of damaging or destroying, by cutting or otherwise, any fishing implement belonging to another sea-fishing boat, except in the cases provided for by Articles twenty and twenty-one of the first schedule to this Act; or,

(*b.*) Takes on board or has on board such boat any instrument serving only or intended to damage or destroy fishing implements, by cutting or otherwise;

such person shall be liable on summary conviction to a fine not exceeding fifty pounds, or in the discretion of the court to imprisonment for a term not exceeding three months, with or without hard labour, and the instrument shall be liable to be forfeited.

Regulations as to lights for sea fishing boats.

6. The regulations respecting lights for the time being in force under the Acts relating to merchant shipping shall, so far as they relate to sea-fishing boats, be deemed to be provisions of this Act and may be enforced accordingly, and a sea-fishery officer shall for that purpose, in addition to his powers under this Act, have the

same powers as are given to any officer by the said Acts relating to merchant shipping.

Exclusive Fishery Limits.

Regulations as to foreign sea-fishing boats within exclusive fishery limits.

7. (1.) A foreign sea-fishing boat shall not enter within the exclusive fishery limits of the British Islands, except for purposes recognised by international law, or by any convention, treaty, or arrangement for the time being in force between Her Majesty and any Foreign State, or for any lawful purpose.

(2.) If a foreign sea-fishing boat enters the exclusive fishery limits of the British Islands,

(*a.*) The boat shall return outside of the said limits so soon as the purpose for which it entered has been answered;

(*b.*) No person on board the boat shall fish or attempt to fish while the boat remains within the said limits;

(*c.*) Such regulations as Her Majesty may from time to time prescribe by Order in Council shall be duly observed.

(3.) In the event of any contravention of this section on the part of any foreign sea-fishing boat, or of any person belonging thereto, the master or person for the time being in charge of such boat shall be liable on summary conviction to a fine not exceeding, in the case of the first offence, ten pounds, and in the case of a second or any subsequent offence, twenty pounds.

Registry of British Sea-fishing Boats.

Amendment of 31 & 32 Vict. c. 45. ss. 22–26.

8. (1.) Sections twenty-two, twenty-three, twenty-four, and twenty-six of the Sea Fisheries Act, 1868 (which relate to the registry of British sea-fishing boats), shall have effect as if Articles five to twelve (both inclusive) of the first schedule to this Act were therein referred to in addition to the Articles of the first schedule to that Act in the said sections mentioned, and as if offences under this Act were offences in the said sections mentioned; provided that nothing in the said sections shall be deemed to authorise any foreign sea-fishery officer to do anything which he is not, under the first schedule to this Act, authorised to do.

39 & 40 Vict. c. 36.

(2.) Section one hundred and seventy-six of the Customs Consolidation Act, 1876, shall not apply to any British sea-fishing boat entered or registered in pursuance of the said sections of the Sea Fisheries Act, 1868.

Miscellaneous.

Prohibition of manufacture and sale of instruments for destroying fishing implements.

9. (1.) There shall not be manufactured or sold or exposed for sale at any place within the British Islands, any instrument serving only or intended to damage or destroy fishing implements, by cutting or otherwise.

(2.) In the event of any contravention of this section a person guilty thereof shall be liable, on summary conviction, to a fine not exceeding fifty pounds, or, in the discretion of the court, to imprisonment for a term not exceeding three months, with or without hard labour, and the instrument shall be liable to be forfeited.

Provision as to wreck (Article 25 of Convention).

10. The boats and things specified in Article twenty-five of the first schedule to this Act shall be deemed to be "wreck" within the meaning of any Acts relating to merchant shipping, so however that the provisions of the said Article shall be duly observed.

Enforcement of Act.

Who are to be British and foreign sea-fishery officers.

11. (1.) The provisions of this Act and of any Order in Council under this Act or under the sections of the Sea Fisheries Act, 1868, amended by this Act shall be enforced by sea-fishery officers, either British or foreign.

(2.) The following persons shall be British sea-fishery officers; that is to say, every officer of or appointed by the Board of Trade, every commissioned officer of any of Her Majesty's ships on full pay, every officer authorised in that behalf by the Admiralty, every British Consular Officer, every collector and principal officer of Customs in any place in the British Islands, and every officer of Customs in the British Islands authorised in that behalf by the Commissioners of Customs, every divisional officer of the coast guard, and every principal officer of a coastguard station.

(3.) The following persons shall be foreign sea-fishery officers, that is to say, the commander of any vessel belonging to the Government of any Foreign State bound by the Convention, and any officer appointed by a Foreign State for the purpose of enforcing the Convention, or otherwise recognised by Her Majesty as a sea-fishery officer of a Foreign State.

Powers of British sea-fishery officers.

12. For the purpose of enforcing the provisions of this Act and of any Order in Council under this Act or under the Sea Fisheries Act, 1868, as amended by this Act, a British sea-fishery officer may with respect to any sea-fishing boat within the exclusive limits of the British Islands and with respect to any British sea-fishing boat outside of those limits exercise the following powers:

(1.) He may go on board it;

(2.) He may require the owner, master, and crew, or any of them, to produce any certificates of registry, licences, official logbooks, official papers, articles of agreement, muster rolls, and other documents relating to the boat, or to the crew, or to any member thereof, or to any person on board the boat, which are in their respective possession or control on board the boat, and may take copies thereof or of any part thereof;

(3.) He may muster the crew of the boat;

(4.) He may require the master to appear and give any explanation concerning his boat and her crew, and any person on board his boat, and the said certificates of registry, licences, official logbooks, official papers, articles of agreement, muster rolls, and other documents, or any of them;

(5.) He may examine all sails, lights, small boats, anchors, grapnels, and fishing implements belonging to the boat;

(6.) He may seize any instrument serving only or intended to damage or destroy fishing implements, by cutting or otherwise, which is found on board the boat or in the possession of any person belonging to the boat;

(7.) He may make any examination or inquiry which he deems necessary to ascertain whether any contravention of the provisions of this Act, or of any such Order of Council as aforesaid has been committed, or to fix the amount of compensation due for any damage done to another sea-fishing boat, or to any person or property on board thereof or belonging thereto, and may administer an oath for such purpose; and

(8.) In the case of any person who appears to him to have committed any such contravention he may, without summons, warrant, or other process, both take the offender and the boat to which he belongs and the crew thereof to the nearest or most convenient port, and bring him or them before a competent court, and detain him, it, and them in the port until the alleged contravention has been adjudicated upon.

Powers of British and foreign sea-fishery officers.

13. For the purpose of carrying into effect the Convention, and of exercising and performing the powers and duties thereby vested in and imposed on cruisers and commanders of cruisers, a foreign sea-fishery officer may, with respect to any British sea-fishing boat, and any sea-fishery officer, whether British or foreign, may, with respect to any foreign sea-fishing boat to which this Act for the time being applies, exercise any of the powers conferred by this Act on British sea-fishery officers.

Provided that—

(*a.*) Nothing in this section shall authorise a sea-fishery officer to do anything not authorised by the Convention; and

(*b.*) The port to which any sea-fishing boat or any person belonging thereto is taken shall, except where the nationality of such boat is not evidenced by official papers, be a port of the state to which such boat belongs.

Protection of and punishment for obstructing sea-fishery officers. 39 & 40 Vict. c. 36.

14. (1.) A sea-fishery officer shall be entitled to the same protection in respect of any action or suit brought against him for any act done or omitted to be done in the execution of his duty under this Act, as is given to any officer of customs by the Customs Consolidation Act, 1876, or any Act amending the same, and (with reference to the seizure or detention of any ship) by any Act relating to the registry of British ships.

(2.) If any person obstructs any sea-fishery officer in acting under the powers conferred by this Act, or refuses or neglects to comply with any requisition or direction lawfully made or given by, or to answer any question lawfully asked by, any sea-fishery officer in pursuance of this Act, such person shall be liable, on summary conviction, to a fine not exceeding fifty pounds, or to be imprisoned for a term not exceeding three months, with or without hard labour.

Legal Proceedings.

Compensation for damage caused by offence.

15. (1.) Where on the conviction of any person under this Act for an offence it appears to the court that any injury to person or property has been caused by the offence, the court may by such conviction adjudge the person convicted to pay in addition to any fine a reasonable sum as compensation for such injury, and such sum may be recovered as a fine under this Act and when recovered shall be paid to the person injured.

(2.) Any compensation specified in a document signed in accordance with Article thirty-three of the first schedule to this Act or fixed by a sea-fishery officer in accordance with any submission to arbitration may be recovered as a simple contract debt, and in England may also be recovered as a civil debt before a court of summary jurisdiction.

(3.) In a proceeding against any person for the recovery of such last-mentioned compensation, the formal document referred to in the

said Article, or an award of a sea-fishery officer in pursuance of a submission to arbitration signed by the person liable to pay such compensation, shall be sufficient evidence that such person is liable to pay the compensation specified in such document or award.

Summary prosecution of offences and recovery of fines.

16. (1.) Offences under this Act may (save as otherwise provided) be prosecuted, and fines under this Act may be recovered in a summary manner; that is to say,—

(*a.*) In England before a justice or justices, in manner provided by the Summary Jurisdiction (English) Acts;

42 & 43 Vict. c. 49.

(*b.*) In Scotland in manner provided by the Summary Jurisdiction (Scotland) Acts, 1864 and 1881;

27 & 28 Vict. c. 53.
44 & 45 Vict. c. 33.

(*c.*) In Ireland within the police district of Dublin metropolis in manner provided by the Acts regulating the powers and duties of the justices of the peace of such district, or of the police of such district, and elsewhere in Ireland in manner provided by the Petty Sessions (Ireland) Act, 1851, and the Acts amending the same;

14 & 15 Vict. c. 93.

(*d.*) In the Isle of Man, and the Islands of Guernsey, Jersey, Alderney, and Sark respectively, before any court, governor, deputy governor, deemster, jurat, or other magistrate, in the manner in which the like offences and fines are by law prosecuted and recovered, or as near thereto as circumstances admit.

(2.) If any person feels aggrieved by any conviction under this Act by a court of summary jurisdiction, or by any determination or adjudication of such court with respect to any compensation under this Act, he may, where imprisonment is awarded without the option of a fine, or the sum adjudged to be paid exceeds five pounds, appeal therefrom as follows:—

(*a.*) In England the appeal shall be to quarter sessions in manner provided by the Summary Jurisdiction (English) Acts;

(*b.*) In Ireland the appeal shall be to the court of quarter sessions in manner directed by the Petty Sessions (Ireland) Act, 1851, and the Acts amending the same;

(*c.*) In Scotland, the Isle of Man, and the Islands of Guernsey, Jersey, Alderney, and Sark, the appeal shall be to the court and in the manner in which appeals from the like convictions and determinations and adjudications are made.

Evidence.

17. (1.) Any document drawn up in pursuance of the first schedule to this Act shall be admissible in any proceeding, civil or criminal, as evidence of the facts or matters therein stated.

(2.) If evidence contained in any such document was taken on oath in the presence of the person charged in such evidence, and such person had an opportunity of cross-examining the person giving such evidence and of making his reply to such evidence, the sea-fishery officer drawing up such document may certify the said facts, or any of them.

(3.) Any document or certificate in this section mentioned purporting to be signed by a sea-fishery officer shall be admissible in evidence without proof of such signature, and, if purporting to be signed by any other person, shall, if certified by a sea-fishery officer to have been so signed, be deemed until the contrary is proved to have been signed by such other person.

(4.) If any person forges the signature of a sea-fishery officer to any such document as above mentioned, or makes use of any such document knowing the signature thereto to be forged, such person shall be liable on summary conviction to imprisonment for a term not exceeding three months with or without hard labour, and on conviction on indictment to be imprisoned with or without hard labour for a term not exceeding two years, and the cost of the prosecution of any such person on indictment may be paid as in cases of felony.

Jurisdiction of courts.

18. For the purpose of giving jurisdiction to courts under this Act, a sea-fishing boat shall be deemed to be a ship within the meaning of any Act relating to offences committed on board a ship, and every court shall have the same jurisdiction over a foreign sea-fishing boat within the exclusive fishery limits of the British Islands, and persons belonging thereto, as such court would have if such boat were a British sea-fishing boat.

Service to be good if made personally or on board ship.

19. Service of any summons or other matter in any legal proceeding under this Act shall be good service if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any sea-fishing boat to which he may belong, with the person being or appearing to be in command or charge of such boat.

Masters of boats liable to fines imposed.

20. (1.) Where any offence against this Act has been committed by some person belonging to a sea-fishing boat, the master or person for the time being in charge of such boat shall in every case be liable to be deemed guilty of such offence; provided that if he proves that he issued proper orders for the observance, and used due diligence to enforce the observance, of this Act, and that the offence in question was actually committed by some other person without his connivance, and that the actual offender has been convicted, or that he has taken all practicable means in his power to prosecute such offender (if alive) to conviction, he shall not be liable to any further punishment than payment of compensation for any injury caused by the offence.

(2.) Any fine or compensation adjudged under this Act may be recovered in the ordinary way, or, if the court think fit so to order, by distress or poinding and sale of the sea-fishing boat to which the offender belongs, and her tackle, apparel, and furniture and any property on board thereof or belonging thereto, or any part thereof; provided that, where the boat is a foreign sea-fishing boat, the court may order that in lieu of any such distress the boat may be detained in some port in the British Islands for a period not exceeding three months from the date of the conviction, and the boat may be detained accordingly, and in such case shall not be distrained.

Application of fines.

21. (1.) The court adjudging any fine or forfeiture under this Act may, if it think fit, direct the whole or any part thereof to be applied in or towards payment of the expenses of the proceedings; and, subject to such direction, all fines and the proceeds of all forfeitures recovered under this Act shall, notwithstanding anything in any Act relating to municipal corporations or otherwise, be paid into the Exchequer in such manner as the Commissioners of the Treasury may direct.

(2.) Forfeitures may be destroyed, sold, and disposed of as the court adjudging the forfeiture may direct.

Saving of liability and rights.

22. (1.) Nothing in this Act shall prevent any person being liable under any other Act or otherwise to any indictment, proceeding, punishment, or penalty, other than is provided for any offence by this Act, so that no person be punished twice for the same offence.

(2.) Nothing in this Act, or in any Order in Council made thereunder, nor any proceedings under such Act or Order with respect to any matter, shall alter the liability of any person in any action or suit with reference to the same matter, so that no person shall be required to pay compensation twice in respect of the same injury.

Application of Act.

Extension of Act by Order in Council.

23. If at any time after the commencement of this Act any convention, treaty, or arrangement respecting sea fisheries is made between Her Majesty and any Foreign State, it shall be lawful for Her Majesty by Order in Council, to direct that all or any of the provisions of this Act shall, and the same shall accordingly (subject to the exceptions, restrictions, and conditions, if any, in the Order mentioned) apply to the said convention, treaty, or arrangement, and have effect in like manner as if the said convention, treaty, or arrangement were set forth in the first schedule to this Act, and were part of that schedule and were the Convention referred to in this Act.

Application of Act to seas between British Islands and France, and continuance of 6 & 7 Vict. c. 79. as to French Convention.

24. If the provisions of this Act are applied by Order in Council to any convention, treaty, or arrangement made in substitution for the Convention set forth in the first schedule to the Sea Fisheries Act, 1868, or for the Convention and Articles set forth in the schedule to the Act of the sixth and seventh years of the reign of Her present Majesty, chapter seventy-nine, intituled 'An "Act to carry into effect the Convention between Her Majesty and "the King of the French, concerning the fisheries in the seas "between the British Islands and France," that last-mentioned Act shall, after the date fixed by the said Order for the application of this Act be repealed, but such last-mentioned Act shall, until the said date or any earlier date at which the Convention set forth in the first schedule to the Sea Fisheries Act, 1868, comes into operation, continue in force so far as regards French sea-fishing boats and persons belonging thereto within the seas to which the said Convention and Articles set forth in the schedule thereto apply, so far as those seas are outside the exclusive fishery limits of the British Islands, and are not within the North Sea as defined in the first schedule to this Act.

General application of Act.

25. This Act, so far as it applies to foreign sea-fishing boats outside of the exclusive fishery limits of the British Islands, and persons belonging thereto, and to foreign sea-fishery officers, shall apply only within the North Sea as defined by Article four of the first schedule to this Act, or within the seas specified in any convention, treaty, or arrangement to which this Act may be applied by Order in Council made in pursuance of this Act, and to the boats and officers of a Foreign State bound by the Convention in the first

schedule to this Act or by any convention, treaty, or arrangement to which this Act may be applied, but save as aforesaid this Act shall apply to the whole of the British Islands as defined by this Act, and to the seas surrounding the same, whether within or without the exclusive fishery limits of the British Islands, and the Royal Courts of Guernsey and Jersey shall register this Act in their respective Courts.

Supplemental.

Publication of Orders in Council.

26. Orders in Council made in pursuance of this Act shall be published in the London Gazette, or otherwise published in such manner as the Board of Trade may direct for such sufficient time before they come into force as to prevent inconvenience.

Amendment of 31 & 32 Vict. c. 45. s. 18. 39 & 40 Vict. c. 36.

27. The reference in section eighteen of the Sea Fisheries Act, 1868, to section two hundred of the Customs Consolidation Act, 1853, shall be construed to refer to section one hundred and seventy of the Customs Consolidation Act, 1876.

Definitions.

28. In this Act,—

"Sea-fishing:"

The expression "sea-fishing" shall not include fishing for salmon as defined by any Act relating to salmon, but save as aforesaid, means the fishing for every description both of fish, and shell fish, found in the seas to which this Act applies; and the expression "sea fisherman" and other expressions relating to sea-fishing shall be construed accordingly:

"Sea-fishing boat:"

The expression "sea-fishing boat" includes every vessel of whatever size, and in whatever way propelled, which is used by any person in sea-fishing, or in carrying on the business of a sea fisherman:

"Fishing implements:"

The expression "fishing implement" means any net, line, float, barrel, buoy, or other instrument, engine, or implement used or intended to be used for the purpose of sea fishing:

"British Islands:"

The expression "British Islands" includes the United Kingdom of Great Britain and Ireland, the Isle of Man, the Islands of Guernsey, Jersey, Alderney, and Sark, and their dependencies:

"Exclusive fishery limits:"

The expression "exclusive fishery limits of the British Islands" means that portion of the seas surrounding the British Islands within which Her Majesty's subjects have, by international law, the exclusive right of fishing, and where such portion is defined by the terms of any convention, treaty, or arrangement for the time being in force between Her Majesty and any Foreign State, includes, as regards the sea-fishing boats and officers and subjects of that State, the portion so defined:

The expression "the Admiralty" means the Lord High Admiral for the time being of the United Kingdom of Great Britain and Ireland, or any two or more of the Commissioners for executing the office of Lord High Admiral of the United Kingdom:

"Consular officer:"

The expression "Consular officer" includes Consul-General, Consul and Vice-Consul, and any person for the time being discharging the duties of Consul-General, Consul, or Vice-Consul:

"Person:" The expression "person" includes a body of persons corporate or unincorporate:

"Court." The expression "court" includes any tribunal or magistrate exercising jurisdiction under this Act.

Commencement of Act. **29.** This Act shall come into force on such day as may be fixed by a notice in that behalf published in the London Gazette, which day is in this Act referred to as the commencement of this Act.

Repeals. **30.** (1.) After the commencement of this Act the Acts specified in the first part of the second schedule to this Act shall be repealed to the extent specified in the third column of that schedule.

(2.) After the commencement of this Act, the Acts specified in the second part of the second schedule to this Act shall be repealed to the extent specified in the third column of that schedule:

Provided that, until the date herein-after mentioned at which such repeal takes full effect, the repeal of the enactments specified in the said second part shall, except within the North Sea as defined by the first schedule to this Act, be subject to the following limitations:

(*a.*) The repeal shall not extend to section twelve of the Sea Fisheries Act, 1868 (which section relates to oyster fishing), nor to the recovery of any penalty for a violation of that section;

(*b.*) The repeal shall extend only to officers and boats within the exclusive fishery limits of the British Islands and to British sea-fishing boats when outside the exclusive fishery limits of the British Islands;

(*c.*) The repeal shall not affect the power of French sea-fishery officers and French courts over British sea-fishing boats when outside the exclusive fishery limits of the British Islands, or the power of British and French sea-fishery officers and British courts over French sea-fishing boats brought within the exclusive fishery limits of the British Islands for offences committed outside those limits;

(*d.*) The repeal shall not alter the power of receiving as evidence any depositions, minutes, and other documents which by the said Acts are made receivable as evidence;

(*e.*) If the Convention set forth in the first schedule to the Sea Fisheries Act, 1868, comes into operation, then, upon notice thereof being given in the London Gazette, the said enactments shall, subject to the provisions of this section, be in force for the purposes of such Convention.

If this Act is applied by Order in Council to French sea-fishery officers and French sea-fishing boats within the seas to which the Convention set forth in the first schedule to the Sea Fisheries Act, 1868, applies, the said repeal of the enactments specified in the second part of the second schedule to this Act shall take full effect as from the date at which such application of this Act takes effect.

(3.) The repeal of any enactment by this Act shall not affect anything duly done or suffered, or any liability, penalty, forfeiture, or punishment incurred under any enactment hereby repealed, and any legal proceeding or remedy in respect of such liability, penalty, forfeiture, or punishment may be carried on as if this Act had not passed.

31. So much of this Act as has effect outside of the exclusive fishery limits of the British Islands shall, if the Convention ceases to be binding on Her Majesty, cease to apply to the boats and officers of any Foreign State bound by the Convention, and if the Convention ceases to be binding on any Foreign State shall cease to apply to the boats and officers of such State, but subject as aforesaid this Act shall continue in force notwithstanding the determination of the Convention. Continuance of Act.

SCHEDULES.

FIRST SCHEDULE.

INTERNATIONAL CONVENTION for the purpose of regulating the POLICE of the FISHERIES in the NORTH SEA outside TERRITORIAL WATERS.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland; His Majesty the Emperor of Germany, King of Prussia; His Majesty the King of the Belgians; His Majesty the King of Denmark; the President of the French Republic; and His Majesty the King of the Netherlands, having recognised the necessity of regulating the police of the fisheries in the North Sea, outside territorial waters, have resolved to conclude for this purpose a Convention, and have named their Plenipotentiaries as follows:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable William Stuart, Companion of the Most Honourable Order of the Bath, &c., Her Envoy Extraordinary and Minister Plenipotentiary at the Hague; Charles Malcolm Kennedy, Esq., Companion of the Most Honourable Order of the Bath, &c., Head of the Commercial Department of the Foreign Office; and Charles Cecil Trevor, Esq., Barrister at Law, Assistant Secretary to the Board of Trade, &c.;

His Majesty the Emperor of Germany, King of Prussia, Veit Richard von Schmidthals, Knight of the Order of the Red Eagle of the Third Class, and of the Order of St. John, &c., Councillor of Legation, his Chargé d'Affaires at the Hague; and Peter Christian Kinch Donner, Knight of the Order of the Red Eagle of the fourth class with the Sword, and of the Crown of the fourth class, &c., his Councillor of State, Captain in the Navy, on the Reserve;

His Majesty the King of the Belgians, the Baron d'Anethan, Commander of the Order of Leopold, &c., his Envoy Extraordinary and Minister Plenipotentiary at the Hague; and M. Léopold Orban, Commander of the Order of Leopold, &c., his Envoy Extraordinary and Minister Plenipotentiary, Director-General of the Political Department in the Ministry of Foreign Affairs;

His Majesty the King of Denmark, Carl Adolph Bruun, Knight of the Order of the Danebrog, &c., Captain in the Navy;

The President of the French Republic, the Count Lefèbvre de Béhaine, Commander of the National Order of the Legion of Honour, &c., Envoy Extraordinary and Minister Plenipotentiary of the French Republic at the Hague; and M. Gustave Émile Mancel, Officer of the National Order of the Legion of Honour, &c., Commissary of Marine;

His Majesty the King of the Netherlands, the Jonkheer Willem Frederik Rochussen, Commander of the Order of the Lion of the Netherlands, &c., his Minister of Foreign Affairs; and Eduard Nicolaas Rahusen, Knight of the Order of the Lion of the Netherlands, &c., President of the Committee for Sea Fisheries;

Who, after having communicated the one to the other their full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

The provisions of the present Convention, the object of which is to regulate the police of the fisheries in the North Sea outside territorial waters, shall apply to the subjects of the High Contracting Parties.

ARTICLE II.

The fishermen of each country shall enjoy the exclusive right of fishery within the distance of three miles from low water mark along the whole extent of the coasts of their respective countries, as well as of the dependent islands and banks.

As regards bays, the distance of three miles shall be measured from a straight line drawn across the bay, in the part nearest the entrance, at the first point where the width does not exceed ten miles.

The present Article shall not in any way prejudice the freedom of navigation and anchorage in territorial waters accorded to fishing boats, provided they conform to the special police regulations enacted by the Powers to whom the shore belongs.

ARTICLE III.

The miles mentioned in the preceding Article are geographical miles, whereof sixty make a degree of latitude.

ARTICLE IV.

For the purpose of applying the provisions of the present Convention, the limits of the North Sea shall be fixed as follows :—

1. On the north by the parallel of the 61st degree of latitude ;
2. On the east and south :—
   (1.) By the coasts of Norway between the parallel of the 61st degree of latitude and Lindesnaes Lighthouse (Norway) ;
   (2.) By a straight line drawn from Lindesnaes Lighthouse (Norway) to Hanstholm Lighthouse (Denmark) ;
   (3.) By the coasts of Denmark, Germany, the Netherlands, Belgium, and France, as far as Gris Nez Lighthouse ;
3. On the west :—
   (1.) By a straight line drawn from Gris Nez Lighthouse (France) to the easternmost lighthouse at South Foreland (England) ;
   (2.) By the eastern coasts of England and Scotland ;
   (3.) By a straight line joining Duncansby Head (Scotland) and the southern point of South Ronaldsha (Orkney Islands) ;
   (4.) By the eastern coasts of the Orkney Islands ;
   (5.) By a straight line joining North Ronaldsha Lighthouse (Orkney Islands) and Sumburgh Head Lighthouse (Shetland Islands) ;
   (6.) By the eastern coasts of the Shetland Islands ;
   (7.) By the meridian of North Unst Lighthouse (Shetland Islands) as far as the parallel of the 61st degree of latitude.

ARTICLE V.

The fishing boats of the high contracting parties shall be registered in accordance with the administrative regulations of each country. For each port there shall be a consecutive series of numbers, preceded by one or more initial letters, which shall be specified by the superior competent authority.

Each government shall draw up a list showing these initial letters.

This list, together with all modifications which may subsequently be made in it, shall be notified to the other contracting powers.

ARTICLE VI.

Fishing boats shall bear the initial letter or letters of the port to which they belong, and the registry number in the series of numbers for that port.

ARTICLE VII.

The name of each fishing boat, and that of the port to which she belongs, shall be painted in white oil colour on a black ground on the stern of the boat, in letters which shall be at least 8 centim. in height and 12 millim. in breadth.

ARTICLE VIII.

The letter or letters and numbers shall be placed on each bow of the boat, eight or ten centim. below the gunwale, and so as to be clearly visible. They shall be painted in white oil colour on a black ground.

The distance above mentioned shall not, however, be obligatory for boats of small burden, which may not have sufficient space below the gunwale.

For boats of fifteen tons burden and upwards the dimensions of the letters and numbers shall be forty-five centim. in height and 6 centim. in breadth.

For boats of less than fifteen tons burden the dimensions shall be twenty-five centim. in height and 4 centim. in breadth.

The same letter or letters and numbers shall also be painted on each side of the mainsail of the boat, immediately above the close reef, in black oil colour on white or tanned sails, and in white oil colour on black sails.

The letter or letters and numbers on the sails shall be one-third larger in every way than those placed on the bows of the boat.

ARTICLE IX.

Fishing boats may not have, either on their outside or on their sails, any names, letters, or numbers other than those prescribed by Articles VI., VII., and VIII. of the present Convention.

ARTICLE X.

The names, letters, and numbers placed on the boats and on their sails shall not be effaced, altered, made illegible, covered, or concealed in any manner whatsoever.

ARTICLE XI.

All the small boats, buoys, principal floats, trawls, grapnels, anchors, and generally all fishing implements, shall be marked with the letter or letters and numbers of the boats to which they belong.

These letters and numbers shall be large enough to be easily distinguished. The owners of the nets or other fishing implements may further distinguish them by any private marks they think proper.

ARTICLE XII.

The master of each boat must have with him an official document, issued by the proper authority in his own country, for the purpose of enabling him to establish the nationality of the boat.

This document must always give the letter or letters and number of the boat, as well as her description and the name or names of the owner or the name of the firm or association to which she belongs.

ARTICLE XIII.

The nationality of a boat must not be concealed in any manner whatsoever.

ARTICLE XIV.

No fishing boat shall anchor, between sunset and sunrise, on grounds where drift-net fishing is actually going on.

This prohibition shall not, however, apply to anchorings which may take place in consequence of accidents or of any other compulsory circumstances.

ARTICLE XV.

Boats arriving on the fishing grounds shall not either place themselves or shoot their nets in such a way as to injure each other, or as to interfere with fishermen who have already commenced their operations.

ARTICLE XVI.

Whenever, with a view of drift-net fishing, decked boats and undecked boats commence shooting their nets at the same time, the undecked boats shall shoot their nets to windward of the decked boats.

The decked boats, on their part, shall shoot their nets to leeward of the undecked boats.

As a rule, if decked boats shoot their nets to windward of undecked boats which have begun fishing, or if undecked boats shoot their nets to leeward of decked boats which have begun fishing, the responsibility as regards any damages to nets which may result

shall rest with the boats which last began fishing, unless they can prove that they were under stress of compulsory circumstances, or that the damage was not caused by their fault.

ARTICLE XVII.

No net or any other fishing engine shall be set or anchored on grounds where drift-net fishing is actually going on.

ARTICLE XVIII.

No fisherman shall make fast or hold on his boat to the nets, buoys, floats, or any other part of the fishing tackle of another fisherman.

ARTICLE XIX.

When trawl fishermen are in sight of drift-net or of long-line fishermen, they shall take all necessary steps in order to avoid doing injury to the latter. Where damage is caused, the responsibility shall lie on the trawlers, unless they can prove that they were under stress of compulsory circumstances, or that the loss sustained did not result from their fault.

ARTICLE XX.

When nets belonging to different fishermen get foul of each other, they shall not be cut without the consent of both parties.

All responsibility shall cease if the impossibility of disengaging the nets by any other means is proved.

ARTICLE XXI.

When a boat fishing with long lines entangles her lines in those of another boat, the person who hauls up the lines shall not cut them except under stress of compulsory circumstances, in which case any line which may be cut shall be immediately joined together again.

ARTICLE XXII.

Except in cases of salvage and the cases to which the two preceding articles relate, no fisherman shall, under any pretext whatever, cut, hook, or lift up nets, lines, or other gear not belonging to him.

ARTICLE XXIII.

The use of any instrument or engine which serves only to cut or destroy nets is forbidden.

The presence of any such engine on board a boat is also forbidden.

The high contracting parties engage to take the necessary measures for preventing the embarkation of such engines on board fishing boats.

ARTICLE XXIV.

Fishing boats shall conform to the general rules respecting lights which have been, or may be, adopted by mutual arrangement between the high contracting parties with the view of preventing collisions at sea.

ARTICLE XXV.

All fishing boats, all their small boats, all rigging gear or other appurtenances of fishing boats, all nets, lines, buoys, floats, or other fishing implements whatsoever found or picked up at sea, whether marked or unmarked, shall as soon as possible be delivered to the competent authority of the first port to which the salving boat returns or puts in.

Such authority shall inform the consul or consular agent of the country to which the boat of the salvor belongs, and of the nation of the owner of the articles found. They [the same authority] shall restore the articles to the owners thereof or to their representatives, as soon as such articles are claimed and the interests of the salvors have been properly guaranteed.

The administrative or judicial authorities, according as the laws of the different countries may provide, shall fix the amount which the owners shall pay to the salvors.

It is, however, agreed that this provision shall not in any way prejudice such conventions respecting this matter as are already in force, and that the high contracting parties reserve the right of regulating, by special arrangements between themselves, the amount of salvage at a fixed rate per net salved.

Fishing implements of any kind found unmarked shall be treated as wreck.

Article XXVI.

The superintendence of the fisheries shall be exercised by vessels belonging to the national navies of the high contracting parties. In the case of Belgium, such vessels may be vessels belonging to the State, commanded by captains who hold commissions.

Article XXVII.

The execution of the regulations respecting the document establishing nationality, the marking and numbering of boats, &c., and of fishing implements, as well as the presence on board of instruments which are forbidden (Articles VI., VII., VIII., IX., X., XI., XII., XIII., and XXIII., § 2), is placed under the exclusive superintendence of the cruizers of the nation of each fishing boat.

Nevertheless, the commanders of cruizers shall acquaint each other with any infractions of the above-mentioned regulations committed by the fishermen of another nation.

Article XXVIII.

The cruizers of all the high contracting parties shall be competent to authenticate all infractions of the regulations prescribed by the present convention, other than those referred to in Article XXVII., and all offences relating to fishing operations, whichever may be the nation to which the fishermen guilty of such infractions may belong.

Article XXIX.

When the commanders of cruizers have reason to believe that an infraction of the provisions of the present convention has been committed, they may require the master of the boat inculpated to exhibit the official document establishing her nationality. The fact of such document having been exhibited shall then be endorsed upon it immediately.

The commanders of cruizers shall not pursue further their visit or search on board a fishing boat which is not of their own nationality, unless it should be necessary for the purpose of obtaining proof of an offence or of a contravention of regulations respecting the police of the fisheries.

Article XXX.

The commanders of the cruizers of the Signatory Powers shall exercise their judgment as to the gravity of facts brought to their knowledge, and of which they are empowered to take cognizance, and shall verify the damage, from whatever cause arising, which may be sustained by fishing boats of the nationalities of the high contracting parties.

They shall draw up, if there is occasion for it, a formal statement of the verification of the facts as elicited both from the declarations of the parties interested and from the testimony of those present.

The commander of the cruizer may, if the case appears to him sufficiently serious to justify the step, take the offending boat into a port of the nation to which the fishermen belong. He may even take on board the cruizer a part of the crew of the fishing boat in order to hand them over to the authorities of her nation.

Article XXXI.

The formal statement referred to in the preceding Article shall be drawn up in the language of the commander of the cruizer, and according to the forms in use in his country.

The accused and the witnesses shall be entitled to add, or to have added, to such statement, in their own language, any observations or evidence which they may think suitable. Such declarations must be duly signed.

ARTICLE XXXII.

Resistance to the directions of commanders of cruizers charged with the police of the fisheries, or of those who act under their orders, shall, without taking into account the nationality of the cruizer, be considered as resistance to the authority of the nation of the fishing boat.

ARTICLE XXXIII.

When the act alleged is not of a serious character, but has nevertheless caused damage to any fisherman, the commanders of cruizers shall be at liberty, should the parties concerned agree to it, to arbitrate at sea between them, and to fix the compensation to be paid.

Where one of the parties is not in a position to settle the matter at once, the commanders shall cause the parties concerned to sign in duplicate a formal document specifying the compensation to be paid.

One copy of this document shall remain on board the cruizer, and the other shall be handed to the master of the boat to which the compensation is due, in order that he may, if necessary, be able to make use of it before the Courts of the country to which the debtor belongs.

Where, on the contrary, the parties do not consent to arbitration, the commanders shall act in accordance with the provisions of Article XXX.

ARTICLE XXXIV.

The prosecutions for offences against, or contraventions of, the present convention shall be instituted by, or in the name of, the State.

ARTICLE XXXV.

The high contracting parties engage to propose to their respective Legislatures the necessary measures for insuring the execution of the present convention, and particularly for the punishment by either fine or imprisonment, or by both, of persons who may contravene the provisions of Articles VI. to XXIII. inclusive.

ARTICLE XXXVI.

In all cases of assault committed, or of wilful damage or loss inflicted, by fishermen of one of the contracting countries upon fishermen of another nationality, the Courts of the country to which the boats of the offenders belong shall be empowered to try them.

The same rule shall apply with regard to offences against, and contraventions of, the present convention.

ARTICLE XXXVII.

The proceedings and trial in cases of infraction of the provisions of the present convention shall take place as summarily as the laws and regulations in force will permit.

ARTICLE XXXVIII.

The present convention shall be ratified. The ratifications shall be exchanged at the Hague as soon as possible.

ARTICLE XXXIX.

The present convention shall be brought into force from and after a day to be agreed upon by the high contracting parties.

The convention shall continue in operation for five years from the above day; and, unless one of the high contracting parties shall, twelve months before the expiration of the said period of five years, give notice of intention to terminate its operation, shall continue in force one year longer, and so on from year to year. If, however, one of the Signatory Powers should give notice to terminate the convention, the same shall be maintained between the other contracting parties, unless they give a similar notice.

ADDITIONAL ARTICLE.

The Government of His Majesty the King of Sweden and Norway may adhere to the present convention, for Sweden and for Norway, either jointly or separately.

This adhesion shall be notified to the Netherlands Government, and by it to the other Signatory Powers.

In witness whereof the Plenipotentiaries have signed the present convention, and have affixed thereto their seals.

Done at the Hague, in six copies, the 6th May 1882.

(L.S.) W. STUART.
(L.S.) C. M. KENNEDY.
(L.S.) C. CECIL TREVOR.
(L.S.) V. SCHMIDTHALS.
(L.S.) CHR. DONNER.
(L.S.) Bon A. D'ANETHAN.
(L.S.) LÉOPOLD ORBAN.
(L.S.) C. BRUUN.
(L.S.) Cte LEFÈBVRE DE BÉHAINE.
(L.S.) EM. MANCEL.
(L.S.) ROCHUSSEN.
(L.S.) E. N. RAHUSEN.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

A description or citation of an Act in this schedule is inclusive of the word, section, or other part first and last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion described in the description or citation.

PART I.—*Enactments wholly repealed.*

Session and Chapter.	Title.	Extent of Repeal.
6 & 7 Vict. c. 79.	An Act to carry into effect a Convention between Her Majesty and the King of the French concerning the Fisheries in the Seas between the British Islands and France.	So much of the schedule thereto as prohibits any French fishing-boat from approaching nearer to any part of the Coast of the United Kingdom than the limit of three miles, and so much of the rest of the Act as relates to the portion of the schedule hereby repealed.
31 & 32 Vict. c. 45.	The Sea Fisheries Act, 1868.	Section twenty-five. Section fifty-eight, from "in manner directed by law" to "the appeal shall be made", and from "for the county or place" to "costs to be paid by either party." Section seventy-one and the second schedule.
40 & 41 Vict. c. 42.	The Fisheries (Oyster, Crab, and Lobster) Act, 1877.	Section fifteen.

PART II.—*Enactments repealed provisionally.*

Session and Chapter.	Title.	Extent of Repeal.
31 & 32 Vict. c. 45.	The Sea Fisheries Act, 1868.	Sections three and four. Section five, from "the term consular officer" to "construed to mean consular officer." Sections six to sixteen. Sections twenty and twenty-one. Section fifty-nine. Section sixty-one. Section sixty-three, from the beginning of the section to "the satisfaction of the court." The first schedule, except articles four to eight, article thirty-one, and the Declaration and List of Ports annexed to the Convention.
38 Vict. c. 15.	An Act to amend the Sea Fisheries Act, 1868.	Section three.

CHAPTER 23.

An Act to apply the sum of fifteen million one hundred and eighty-two thousand seven hundred and seven pounds out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four.

[2nd August 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 15,182,707*l.* out of the Consolidated Fund for the service of the year ending 31st March 1884.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four the sum of fifteen million one hundred and eighty-two thousand seven hundred and seven pounds.

Power to the Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time, on the credit of the said sum, any sum or sums not exceeding in the whole the sum of fifteen million one hundred and eighty-two

thousand seven hundred and seven pounds, and shall repay the money so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

3. This Act may be cited as the Consolidated Fund (No. 4) Act, 1883. Short title.

CHAPTER 24.

An Act to make temporary provision for the Relief of the destitute Poor in Ireland. [2nd August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Commissioners of Public Works in Ireland may from time to time on the recommendation of the Local Government Board for Ireland (in this Act referred to as the Local Government Board) and with the sanction of the Commissioners of the Treasury, grant to the board of guardians of any union, out of any moneys in their hands, such sums as the Local Government Board may find necessary, having regard to the financial condition of such union and the pressure of distress within its limits, to aid in providing for the administration of relief for the destitute poor in the union. Power to make grants to distressed unions.

Grants shall not be made under this Act after the thirty-first day of March one thousand eight hundred and eighty-four.

The total amount granted under this Act shall not exceed fifty thousand pounds.

Whenever any such grant is made, the Commissioners of the Treasury shall notify to the Irish Land Commission the sum so granted, and thereupon the Irish Land Commission shall out of the funds which they may raise on the security of their annual income under the Irish Church Act Amendment Act, 1881, pay over to the Commissioners of Public Works, the amount stated by the Commissioners of the Treasury on each such occasion to have been granted under the provisions of this Act. 44 & 45 Vict. c. 71.

2. The several provisions of the Irish Church Act, 1869, as amended by the Irish Church Act Amendment Act, 1881, with respect to the raising of money by the Irish Land Commission, and the giving of security for the repayment thereof, and of interest thereon, and with respect to the power of the Commissioners for the Reduction of the National Debt to make advances to the said Irish Land Commission, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the money so to be raised, shall be extended and shall apply to the purposes of this Act as fully as such provisions apply to the purposes of the Irish Church Act, 1869, as so amended as aforesaid. Extension of borrowing powers. 32 & 33 Vict. c. 42. 44 & 45 Vict. c. 71. 32 & 33 Vict. c. 42. 32 & 33 Vict. c. 42.

Any advance made by the Commissioners for the Reduction of the National Debt to the Irish Land Commission for the purposes of this Act, shall be charged upon the property accruing to and shall be payable by the Irish Land Commission, as if it were part of the debt already owing by the Irish Land Commission to the Commissioners for the Reduction of the National Debt.

Power to borrow.

3. In addition to any power of borrowing vested in boards of guardians under the Acts in force at the time of the passing of this Act, the board of guardians of any union in Ireland may, with the sanction of the Local Government Board, for the purpose of defraying any costs, charges, or expenses incurred or to be incurred by them in the execution of the Acts relating to the relief of the poor, borrow and take up at interest for the use of any electoral division or divisions in the union, such sums of money as the Local Government Board may sanction.

In the case of every such loan the following provisions shall take effect:

(1.) For securing the repayment of any sums so borrowed, with interest thereon, the Board of Guardians may mortgage to the persons by or on behalf of whom such sums are advanced, the rates leviable on the electoral division or divisions for the use of which such money was borrowed.

(2.) The money shall be borrowed for such time not exceeding ten years as the guardians with the consent of the Local Government Board determine in each case.

(3.) It shall not be lawful for the Local Government Board to sanction any such loan after the twenty-fifth day of March one thousand eight hundred and eighty-four.

(4.) All sums so borrowed shall be repaid by such instalments as may be agreed on with the sanction of the Local Government Board.

Confirmation of borrowing by Boards of Guardians and indemnity.

4. Whereas before the passing of this Act the Boards of Guardians of certain unions in which the funds at the disposal of such Boards respectively were inadequate for providing for the relief of the destitute poor in such unions, borrowed, with the approval of the Local Government Board, certain moneys repayable with interest, and are now indebted on account of such loans, and it is expedient to confirm such loans; therefore, all such loans and borrowing, and all proceedings of the several Boards of Guardians relating thereto, shall be and are hereby ratified and confirmed; and all persons who have acted in incurring such loans shall be released and indemnified from and against any penalties in relation thereto.

Short title.

5. This Act may be cited as the Relief of Distressed Unions (Ireland) Act, 1883.

CHAPTER 25.

An Act to explain and amend the thirty-second section of the General Prisons (Ireland) Act, 1877.

[2nd August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. For the purposes of the thirty-second section of the General Prisons (Ireland) Act, 1877, relating to the superannuation of prison officers, the term "prison service" means, as respects the period before the first day of April one thousand eight hundred and seventy-eight, service in a particular prison, or in the prisons of the same grand jury or other prison authority, transferred to the General Prisons Board for Ireland; and as respects the period after the said first day of April one thousand eight hundred and seventy-eight, service in any such prison or in any other prison; and the said section shall be construed as if the term "prison service" had been so defined therein. Construction of 40 & 41 Vict. c. 49. s. 32.

2. This Act may be cited as the Prison Service (Ireland) Act, 1883. Short title.

CHAPTER 26.

An Act to promote the Sea Fisheries of Ireland.

[2nd August 1883.]

WHEREAS the promotion, improvement, and encouragement of the Irish fisheries are objects of great importance, not only to Ireland, but to the wealth and commercial prosperity and naval strength of the United Kingdom:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

1. This Act may be cited for all purposes as the Sea Fisheries (Ireland) Act, 1883. Short title of Act.

2. This Act shall come into operation on the first day of October one thousand eight hundred and eighty-three, which date is referred to as the commencement of this Act. Commencement of Act.

3. The Irish Land Commission shall from time to time when required by the Commissioners of Public Works, out of the funds which they may raise on the security of their annual income under the Irish Church Act Amendment Act, 1881, pay over to the Commissioners of Public Works such sums, not exceeding in all the sum of two hundred and fifty thousand pounds, as the Commissioners may require for the purposes of this Act, and as the Treasury may sanction. Creation of Sea Fisheries Fund. 44 & 45 Vict. c. 71.

The sums so paid over to the Commissioners of Public Works are in this Act referred to as the Sea Fisheries Fund.

4. The several provisions of the Irish Church Act, 1869, as amended by the Irish Church Act Amendment Act, 1881, with respect to the raising of money by the Irish Land Commission, and the giving of security for the repayment thereof, and of interest thereon, and with respect to the power of the Commissioners for the Reduction of the National Debt to make advances to the said Irish Land Commission, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the money so to be raised, shall be extended and shall apply to the purposes of this Act as fully as such provisions apply to the purposes of the Irish Church Act, 1869, as so amended as aforesaid. Extension of Irish Church Act. 32 & 33 Vict. c. 42. 44 & 45 Vict. c. 71. 32 & 33 Vict. c. 42. 32 & 33 Vict. c. 42.

Any advance made by the Commissioners for the Reduction of the National Debt to the Irish Land Commission for the purposes of this Act shall be charged upon the property accruing to and shall be payable by the Irish Land Commission as if it were part of the debt already owing by the Irish Land Commission to the Commissioners for the Reduction of the National Debt.

Sea Fisheries Fund to be expended for piers and harbours.

5. The Commissioners of Public Works shall apply the Sea Fisheries Fund for the purposes of the Fishery Piers and Harbours Acts, but subject to the conditions contained in this Act.

The enactment contained in the second section of the Fishery Piers and Harbours Act, 1866, that a grant for any one work shall not exceed the sum of seven thousand five hundred pounds shall not apply to grants under this Act.

9 & 10 Vict. c. 3.

The enactment contained in the fourth sub-section of the fourth section of the Fishery Piers and Harbours Act, 1846, that the amount of any grant shall not exceed three fourths of the cost of the work, and that such grant shall be made only upon the condition that the repayment of the residue of the total actual cost of the work, with interest, shall be secured or agreed to be secured in the manner therein referred to, shall not apply to grants under this Act.

The Commissioners of Public Works may, with the previous approval of the Treasury, out of the Sea Fisheries Fund make a free grant of the whole or any part of the cost of a work, or may advance the same by way of loan, upon the repayment thereof, with interest at such rate not exceeding three and a half per cent. per annum, as the Commissioners, with the approval of the Treasury, may determine, being secured in the manner provided by the Fishery Piers and Harbours Acts.

The amount which the Commissioners of Public Works may expend in any one period of twelve months, after the passing of this Act, in carrying this Act into effect shall not exceed fifty thousand pounds, unless the Treasury otherwise orders.

Maintenance and repair of piers and harbours.

6. When any work has been done or constructed under this Act, the provisions of the Fishery Piers and Harbours Acts relative to maintenance and repair, and as to tolls and rates, and as to byelaws, rates, orders, and regulations, and otherwise, shall apply to such work as if it had been constructed or done under those Acts.

Application of sums repaid.

7. All sums paid from time to time to the Commissioners of Public Works in repayment of moneys advanced by them by way of loan under this Act, or for interest thereon, shall form part of the Sea Fisheries Fund, and shall be applied by the Commissioners for the purposes of this Act.

Constitution of Fishery Piers and Harbours Commission.

8. For the purpose of aiding the Commissioners of Public Works in carrying this Act into effect, a Commission shall be constituted, to be styled the Fishery Piers and Harbours Commission, consisting of the Inspectors of Irish Fisheries and of one other person, to be appointed by the Lord Lieutenant, who shall hold his office during the pleasure of the Lord Lieutenant, and shall be the chairman of the Commission, and shall have a casting vote. The person so appointed shall not be paid any salary or remuneration for his services, and shall not, by reason of such appointment, be disqualified from being elected or sitting as a member of the House of

Commons, and, if he is a member of the House of Commons at the time of his appointment, shall not cease to be a member by reason of such appointment.

It shall be the duty of the Fishery Piers and Harbours Commission to give such assistance to the Commissioners of Public Works as the Inspectors of Irish Fisheries have heretofore given in the execution of the Fishery Piers and Harbours Acts; and to confer with the Commissioners of Public Works relative to the works proposed from time to time to be executed out of the Sea Fisheries Fund; and generally to aid in carrying this Act into effect, in such manner as the Lord Lieutenant may from time to time direct.

The Commissioners of Public Works, before forwarding to the Treasury the report as to any proposed work which they are required to forward pursuant to the tenth section of the Fishery Piers and Harbours Act, 1846, shall furnish to the Fishery Piers and Harbours Commission a copy of the plans and specifications relating to the proposed work; and the Fishery Piers and Harbours Commission may make such observations relative to such plans and specifications, for the information of the Treasury, as they think fit.

Interpretation.

9. In this Act—

The term "the Treasury" means the Commissioners of Her Majesty's Treasury:

The term "the Commissioners of Public Works" means the Commissioners of Public Works in Ireland:

The term "the Fishery Piers and Harbours Act, 1846," means the Act of the session of the ninth and tenth years of the reign of Her present Majesty, chapter three, intituled "An Act to "encourage the sea fisheries of Ireland, by promoting and aiding "with grants of public money the construction of piers, harbours, "and other works:"

The term "the Fishery Piers and Harbours Act, 1866," means the Act of the session of the twenty-ninth and thirtieth years of the reign of Her present Majesty, chapter forty-five, intituled "An "Act to extend the provisions of the Acts for the encouragement of the sea fisheries in Ireland, by promoting and aiding "with grants of public money the construction of piers, harbours, and other public works:"

The term "the Fishery Piers and Harbours Acts" means both the above-mentioned Acts, and any Acts amending them.

CHAPTER 27.

An Act further to amend the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes. [20th August 1883.]

38 & 39 Vict. c. 65.

WHEREAS by the Metropolitan Board of Works (Loans) Act, 1875, (in this Act referred to as "the Act of 1875,") the raising of money by the Metropolitan Board of Works (in this Act referred to as "the Board") for the purposes therein specified was regulated, and provision was made requiring that the borrowing powers granted to the Board by Parliament for the purposes therein named should for the future be limited both in time and amount:

45 & 46 Vict. c. 33.

And whereas by the Metropolitan Board of Works (Money) Act, 1882, (in this Act referred to as "the Act of 1882,") the Board were empowered to raise certain sums of money for the purposes in the said Act mentioned, and limits of time and amount within which the powers by the said Act granted might be exercised were fixed:

And whereas the powers for the raising of money by the Act of 1882 conferred upon the Board have been partially exercised, but it is expedient that the Board should have power to raise certain further sums of money specified in the First Schedule to this Act annexed for the purposes, upon the terms, and subject to the limitations herein-after mentioned, and that the Act of 1882 should be amended:

And whereas it is expedient that the Board should be empowered to raise any of the moneys which they are by this Act authorised to raise, and which it may be convenient to raise for a temporary period by the issue of bills, with the consent of the Treasury, for not less than three and not more than twelve months to be repaid out of moneys raised by the creation of consolidated stock under this Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Metropolitan Board of Works (Money) Act, 1883, and the Metropolitan Board of Works (Money) Acts, 1875 to 1882, and this Act, may be cited together as the Metropolitan Board of Works (Money) Acts, 1875 to 1883.

Construction of Act.

2. This Act shall be read and have effect as one with the Metropolitan Board of Works (Loans) Acts, 1869 to 1871, and the Metropolitan Board of Works (Money) Acts, 1875 to 1882.

Interpretation.

3. The expression "Parks and Open Spaces Acts" in this Act shall mean the enactments specified in Part I. of the Second Schedule to this Act annexed.

The expression "Embankment Acts" in the Metropolitan Board of Works (Loans) Act, 1869, and in this Act, shall mean the series of Acts specified in Part II. of the Second Schedule to this Act annexed, and the Metropolitan Board of Works (Loans) Act, 1869, shall be construed accordingly.

The expression "Main Drainage Acts" in this Act shall have the same meaning as is assigned to the same term in the Metropolitan Board of Works (Loans) Act, 1869.

Amendment of 45 & 46 Vict. c. 33. s. 10 (*f*).

4. Subsection (*f*) of section ten of the Act of 1882 shall be read and construed as if the aggregate amount which the Board was thereby authorised to expend for the purposes of the Fire Brigade Act, 1865, had been limited to a sum not exceeding seventy thousand pounds instead of fifty thousand pounds.

Amendment of 45 & 46 Vict. c. 33. s. 14.

5. Section fourteen of the Act of 1882 shall be read and construed as if the aggregate amount which the Board was thereby authorised to lend to Boards of Guardians had been limited to a sum not exceeding two hundred and fifty thousand pounds instead of two hundred thousand pounds.

Power to expend moneys for purposes of Metropolitan Street Improvements Act, 1883, and Metropolitan Board of Works (Bridges, &c.) Act, 1883, and Artizans, &c. Acts.

6. The Board may from time to time, up to the thirty-first day of December one thousand eight hundred and eighty-four, expend for the purposes herein-after mentioned such moneys as they may think fit, not exceeding the amounts limited in relation to such purposes respectively.

For the purposes of the Metropolitan Street Improvements Act, 1883, seven hundred and eighty-two thousand seven hundred pounds;

For the purposes of the Metropolitan Board of Works (Bridges, &c.) Act, 1883, one hundred and thirty-four thousand pounds; and

For the purposes of schemes made by the Board under the authority of the Artizans and Labourers Dwellings Improvement Acts, 1875 to 1882, with respect to Tench Street, St. George-in-the-East; Brook Street, Limehouse; Windmill Row, New Cut, Lambeth; and Trafalgar Road, Greenwich; if the same be respectively confirmed by Provisional Order and Act of Parliament, ninety-nine thousand pounds: Provided always, that the money to be raised and the consolidated stock to be created by the Board for the purposes mentioned in this section shall be raised and created by them from time to time in such amounts and at such times only as the Board shall actually require and as the Treasury shall approve for the purpose of carrying out the provisions of the said Acts respectively in a proper and efficient manner.

Power to contribute to improvements at Hyde Park Corner.

7. The Board may from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-four expend for the purpose of contributing towards the expenses of the improvements for facilitating the passage of traffic at Hyde Park Corner, and of all works and other matters necessary or incidental thereto now commenced and partly completed by and under the authority of the First Commissioner of Her Majesty's Works and Public Buildings, such moneys as they may think fit, not exceeding the sum of ten thousand pounds, provided that the moneys expended by the Board for the said purposes under the authority of this section shall not, together with the moneys previously expended by the Board for the said purposes under the authority of section eight of the Act of 1882, exceed twenty thousand pounds. All moneys expended by the Board for the purposes aforesaid shall be deemed to be expended under the authority of section one hundred and forty-four of the Metropolis Management Act, 1855, and the enactments altering, amending, or affecting the same: Provided always, that the moneys to be expended and the consolidated stock to be created by the Board for the purposes mentioned in this section shall be raised and created by them from time to time in such amounts and at such times only as the Board shall actually require and as the Treasury shall approve for the said purposes.

18 & 19 Vict. c. 120.

Power to expend moneys for sundry purposes during year 1884.

8. The Board may from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-four expend for the purposes herein-after mentioned such moneys as they may think fit, not exceeding the amounts limited in relation to such purposes respectively:

(*a.*) For the purposes mentioned in section one hundred and forty-four of the Metropolis Management Act, 1855, and section

18 & 19 Vict. c. 120.

25 & 26 Vict. c. 102.
35 & 36 Vict. c. clxiii.
39 & 40 Vict. c. lxxix.

seventy-two of the Metropolis Management Amendment Act, 1862, and for the purposes of the Metropolitan Street Improvements Act, 1872, and of the Embankment Acts, including the purchase and erection of lamp standards on such parts of such works as the Board may think fit, and of the Sun Street improvement under the Metropolitan Board of Works (Various Powers) Act, 1876, one hundred thousand pounds;

(*b.*) For the purposes of the Parks and Open Spaces Acts, fifteen thousand pounds;

40 & 41 Vict. c. xcix.

(*c.*) For the purposes of the Metropolis Toll Bridges Act, 1877, including the cost of certain special works for the maintenance and repair of certain of the bridges acquired by the Board under the said Act, and the commutation of pensions, thirty thousand pounds;

28 & 29 Vict. c. 90.

(*d.*) For the purposes of providing station-houses, fire-engines, fire-escapes, and permanent plant for the purposes of the Fire Brigade Act, 1865, thirty-five thousand pounds;

(*e.*) For the purposes of the road to be made and fenced by the Board across Wormwood Scrubs, and for enabling the Board to contribute to the expenses of the Fulham District Board of Works on account of the roads from Shepherd's Bush Common and the Harrow Road respectively communicating with the said road across Wormwood Scrubs, six thousand pounds; provided that the moneys expended by the Board under the authority of this subsection shall not, together with the moneys previously expended by the Board for the said purposes, exceed six thousand pounds;

40 & 41 Vict. c. ccxxxv.

(*f.*) For the purposes of the Metropolitan Street Improvements Act, 1877, seven hundred and fifty thousand pounds, or such further sum as the Treasury may approve, provided that the moneys expended by the Board under the authority of this subsection shall not, together with all moneys previously expended by the Board for the said purposes, exceed three million seven hundred and twelve thousand five hundred and seven pounds;

42 & 43 Vict. c. cxcviii.

(*g.*) For the purposes of the Thames River (Prevention of Floods) Act, 1879, ten thousand pounds, or such further sum as the Treasury may approve;

44 & 45 Vict. c. cxcii.

(*h.*) For the purposes of the Metropolitan Bridges Act, 1881, three hundred thousand pounds, provided that the moneys hereby expended by the Board under the authority of this subsection shall not, together with all moneys previously expended by the Board for the said purposes, exceed seven hundred and sixty thousand pounds;

38 & 39 Vict. c. 36.

(*i.*) For the purposes of schemes made by the Board under the authority of the Artizans and Labourers Dwellings Improvement Act, 1875, and confirmed by Provisional Order and Act of Parliament, thirty thousand pounds, or such further sum as the Treasury may approve;

42 & 43 Vict. c. cci.
45 & 46 Vict. c. clvii.

(*k.*) For the purposes of sections ninety-one and ninety-two of the Metropolitan and District Railways (City Lines and Extensions) Act, 1879, as amended by the Metropolitan and District Railways (City Lines and Extensions) Act, 1882, with

respect to the construction of the new street and works in the said section ninety-one mentioned, and the payment of the contribution towards the expense of constructing the same after the completion and opening of the same for the use of the public as by the said enactments provided, five hundred thousand pounds; provided that the contribution of five hundred thousand pounds sanctioned by the Metropolitan Board of Works (Money) Act, 1882, has not been paid before the thirty-first day of December one thousand eight hundred and eighty-three;

(*l.*) For the purpose of acquiring a piece of land as an addition to Brook Green, in the parish of Hammersmith, an open space under the control and management of the Board two thousand pounds; provided that the moneys expended by the Board under the authority of this sub-section shall not, together with all moneys previously expended by the Board for the said purposes, exceed two thousand pounds;

(*m.*) For the purposes of the Metropolitan Board of Works (Various Powers) Act, 1882, fifty-one thousand five hundred pounds: 45 Vict. c. lvi.

Provided always, that the moneys to be expended and the consolidated stock to be created by the Board for the purposes mentioned in this section respectively shall be raised and created by them from time to time in such amounts and at such times only as the Board shall actually require and as the Treasury shall approve for the said purposes respectively.

Special power to expend money for purposes of main drainage and main sewers.

9. The Board may from time to time up to the thirty-first day of December one thousand eight hundred and eighty-four, expend, for the purpose of adding to, extending, enlarging, improving, and completing the works authorised by the Main Drainage Acts, and for rendering the same efficient in such manner as to them may seem proper, and for extending, enlarging, and improving the main sewers transferred to and vested in the Board under and by virtue of the Metropolis Management Act, 1855, and for making such other sewers and works, and such alterations and diversions of such existing main sewers, as may to them seem proper for the purpose of relieving, supplementing, and rendering such main sewers efficient, and for carrying into effect the several provisions in relation thereto mentioned in the said Acts, such moneys as they may think fit, not exceeding one hundred and ninety thousand pounds, in addition to any moneys which they are authorised to expend under any Acts passed previously to the passing of this Act; and all the provisions of the Main Drainage Acts and the Metropolis Management Act, 1855, and the Acts altering or amending the same, for the time being in force relating to the execution of works authorised by the said Acts respectively shall continue in force, and shall extend and apply respectively to the works executed by means of money raised for the purposes of this section; and all stock created under the authority of this Act for such purposes shall be deemed to be created for the purposes of the above-mentioned Acts respectively.

Power to lend to vestry, district board, corporations, burial boards, &c.

10. Where a vestry or district board constituted under the Metropolis Management Act, 1855, desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for the

purpose of any work, or for the purpose of paying off any loan or debt, or for any other purpose, and it appears to the Board and to the Treasury expedient that the repayment of the money to be borrowed shall be spread over a series of years, then from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-four the Board may lend to the vestry or district board, and the vestry or district board may borrow from the Board, such money as the Board think fit, and as the vestry or district board are authorised and desire to borrow, not exceeding two hundred thousand pounds; and

Where any corporation, body of commissioners, burial board, or other public body (not being a vestry or district board constituted under the Metropolis Management Act, 1855, a board of guardians, the Managers of the Metropolitan Asylum District, or the School Board for London), having power to levy directly or indirectly rates in respect of lands in the metropolis, as defined in the Metropolis Management Act, 1855, or to make charges on rates leviable in the metropolis as so defined, or to take within the metropolis as so defined dues or impositions in the nature of rates, desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for the purpose of any work, or for the purpose of paying off any loan or debt, or for any other purpose, and it appears to the Board and to the Treasury expedient that the repayment of the money to be borrowed shall be spread over a series of years, then from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-four the Board may lend to the corporation, commissioners, burial board, or other public body, and they may borrow from the Board, such money as the Board think fit, and as the corporation, commissioners, burial board, or other public body are authorised and desire to borrow, not exceeding one hundred thousand pounds.

Money lent by the Board under this section shall, notwithstanding anything in any other Act, be repaid to them, with interest, within such time after the borrowing as the Board and the borrowers with the approval of the Treasury agree, not exceeding in the case of a loan for purposes of improvements effected by the widening of streets or bridges, or for the purpose of purchase of land in fee simple, sixty years, and for any other purpose thirty years.

Power to lend to board of guardians. 18 & 19 Vict. c. 120.

11. Where a board of guardians of a union or parish wholly or for the greater part in the metropolis as defined in the Metropolis Management Act, 1855, desire, in pursuance of authority vested in them, to borrow money for the purpose of any work, or for the purpose of paying off any loan or debt, or for any other purpose, and it appears to the Board and the Treasury expedient that the repayment of the money to be borrowed shall be spread over a series of years, then from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-four the Board may lend to the board of guardians, and the board of guardians may borrow from the Board, such money as the Board think fit, and as the board of guardians are authorised and desire to borrow, not exceeding two hundred thousand pounds.

Money lent by the Board under this section shall, notwithstanding anything in any other Act, be repaid to them, with interest,

within such time after the borrowing as the Board and the borrowers with the approval of the Treasury agree, not exceeding thirty years.

Extension of amount of loans to Managers of Metropolitan Asylum District.

12. The Board may from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-four lend to the Managers of the Metropolitan Asylum District, in addition to the sums heretofore authorised to be lent by the Board to the said Managers, such sums as the said Managers are from time to time authorised by the Local Government Board to borrow in pursuance of the Metropolitan Poor Act, 1867, and any Acts altering or amending the same for the time being in force, not exceeding in the whole fifty thousand pounds, as though the said sums were included in the amount authorised to be lent for such purposes by section thirty-seven of the Metropolitan Board of Works (Loans) Act, 1869, and the Acts amending the same.

30 & 31 Vict. c. 6.

32 & 33 Vict. c. 102.

Power to lend to School Board for London.

13. The Board may from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-four lend to the School Board for London, in accordance with the provisions of the Elementary Education Acts, 1870 and 1873, and any Act or Acts altering or amending the same for the time being in force, such sums as the said School Board are from time to time authorised to borrow by the Education Department in pursuance of the said Acts, not exceeding in the whole the sum of five hundred thousand pounds.

33 & 34 Vict. c. 75.

36 & 37 Vict. c. 86.

The moneys so lent by the Board shall be repaid to them by the said School Board, with interest, within such period not exceeding fifty years as may be agreed upon between the Board and the said School Board with the sanction of the Education Department, subject to the approval of the Treasury.

Power to raise consolidated stock.

14. In order to raise money for the several purposes for which the Board are by this Act authorised to expend or lend money, the Board may from time to time create consolidated stock. Provided always, that—

Where the Board under the authority of this Act create consolidated stock to raise money for the purpose of the Fire Brigade Act, 1865, or to enable them to make a loan repayable within thirty years from the date of such loan, the Board shall from time to time carry to the consolidated loans fund such sums as the Treasury approve as being in their opinion sufficient to redeem within the period of thirty years from the date of the creation of such stock, or in the case of any such loan within any lesser period for which the same may be made, an amount of consolidated stock equal to that so created; and

Where the Board are by this Act authorised to make a loan repayable within thirty years from the date of the loan, the Board, instead of raising money for any such loan by the creation of consolidated stock, may use for any such loan any moneys for the time being forming part of the consolidated loans fund, and not required for the payment of the dividends on consolidated stock; and

Where the Board raise consolidated stock for the purpose of any scheme made by the Board under the authority of the Artizans and Labourers Dwellings Improvement Act, 1875, or the Artizans and Labourers Dwellings Improvement Acts, 1875 to 1882, and con-

firmed by Provisional Order and Act of Parliament, there shall be repaid (as provided by the Artizans and Labourers Dwellings Improvement Act, 1875,) to the consolidated rate out of the local rate as defined by the said last-mentioned Act, all moneys required for payment of dividends on and the redemption of all consolidated stock created for such purpose.

Board may raise money by bills.

15. Notwithstanding anything in this Act or in any other Act relating to the Board contained, the Board, with the consent of the Treasury, may from time to time as they think fit raise any part of the moneys which they are by this Act authorised to raise, not exceeding in the whole the sum of five hundred thousand pounds, by the issue of bills under this Act.

Form and length of currency and interest on metropolitan bills.

16. A bill under this Act (in this Act referred to as a "metropolitan bill") shall be a bill in form prescribed by a regulation made in pursuance of this Act for the payment of the principal sum named therein, in the manner and at the date therein mentioned, so that the date be not less than three nor more than twelve months from the date of the bill.

Interest shall be payable in respect of a metropolitan bill at such rate and in such manner as the Board with the consent of the Treasury may direct.

Payment and applications of proceeds of metropolitan bills and charge of bills on consolidated rate.

17. All moneys raised by the issue of any metropolitan bills shall be paid to the Board, and shall be expended by them for the purposes for which the same are by this Act authorised to be raised respectively. The principal money and interest expressed in any metropolitan bill to be payable shall be charged on the consolidated rate, and shall be payable out of the said rate, or as regards principal out of moneys raised by the creation of consolidated stock under this Act for the purpose for which such principal money has been expended, and as regards interest out of the consolidated loans fund.

Mode of issue of metropolitan bills.

18. With respect to the issue of metropolitan bills the following provisions shall have effect:

(1.) Metropolitan bills shall be issued under the authority of a warrant sealed by the Board and countersigned on behalf of the Treasury:

(2.) Each metropolitan bill shall be for the amount directed by the Board:

(3.) Each metropolitan bill shall be sealed by the Board, the sealing being attested by the clerk in his own name.

Regulations to be made by the Board as to issue, cancellation, &c. of metropolitan bills.

19. The Board may from time to time, with the consent of the Treasury, make, and when made rescind, alter, and add to, regulations for carrying into effect the provisions of this Act with respect to metropolitan bills, and in particular—

(1.) For regulating (subject to the provisions of this Act) the preparation, form, mode of issue, mode of payment, and cancellation of metropolitan bills:

(2.) For regulating the issue of a new metropolitan bill in lieu of one defaced, lost, or destroyed:

(3.) For preventing, by the use of counterfoils or of a special description of paper, or otherwise, fraud in relation to the metropolitan bills:

(4.) For the proper discharge to be given upon the payment of a metropolitan bill.

Every regulation purporting to be made in pursuance of this section shall be deemed to be within the powers of this Act, and shall have effect as if it were enacted in this Act.

Power to create consolidated stock partially suspended while metropolitan bills authorised to be raised.

20. For the purpose of paying off the principal money payable in respect of metropolitan bills the Board may raise any sum which they are by this Act empowered to raise by the creation of consolidated stock for the purposes for which such principal money has been expended not exceeding the amount of such principal money, but save as aforesaid the powers given to the Board by this Act to raise moneys for any purposes by the creation of consolidated stock shall be suspended to the amounts and for the periods to and for which moneys are for the time being authorised by the Treasury to be raised for such purposes respectively by the issue of metropolitan bills.

Application of certain provisions of 24 & 25 Vict. c. 98 to metropolitan bills.

21. Sections eight, nine, ten, and eleven of the Act of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-eight, intituled "An Act to consolidate and amend "the statute law of England and Ireland relating to indictable "offences by forgery" (which sections relate to the forgery of and other frauds relating to Exchequer bills), shall apply to the metropolitan bills, and shall have effect as if "Exchequer bill" in those sections included "metropolitan bill."

Arrangement with bank as to issue, &c. of metropolitan bills.

22. The Board may enter into such arrangements with any bank approved by the Treasury for carrying into effect the provisions of this Act with respect to the issue of metropolitan bills, and to the payment of the principal sum named therein, and to all matters relating thereto, and for the proper remuneration of such bank with reference thereto, as they may think proper and as may be approved by the Treasury.

32 & 33 Vict. c. 102. s. 38. not to extend to money raised under this Act.

23. The limitation on the borrowing power of the Board contained in section thirty-eight of the Metropolitan Board of Works (Loans) Act, 1869, shall not extend to moneys raised by the Board for purposes mentioned in this Act.

Repayments to be carried to consolidated loans fund.

24. All sums received by the Board in respect of interest on or principal of any loan made by them under this Act shall be carried to the consolidated loans fund.

Limit to exercise of borrowing powers.

25. During the year ending the thirty-first day of December one thousand eight hundred and eighty-four the Board shall not (except for such temporary period, not exceeding six months, as the Treasury may from time to time sanction) raise otherwise than in conformity with and to the extent mentioned in this Act any money under any powers of borrowing conferred upon the Board either by this Act or any other Act whatsoever: Provided always, that the limitations contained in this section shall not extend to limit or control the raising of moneys under the authority of section thirty-four of the Metropolitan Board of Works (Loans) Act, 1869, or of section eight of the Metropolitan Board of Works (Loans) Act, 1875, for the purposes in the said sections respectively mentioned.

38 & 39 Vict. c. 65.

SCHEDULES.

FIRST SCHEDULE.

NEW MONEY POWERS CONFERRED IN THIS ACT.

Section of Act.	Purpose.	Amount. £	s.	d.
	SUPPLEMENTAL UP TO 31ST DEC. 1883.			
4	Fire Brigade (amount already sanctioned, £50,000)	20,000	0	0
5	Loans to Guardians (amount already sanctioned, £200,000)	50,000	0	0
	UP TO 31ST DECEMBER 1884.			
6	Metropolitan Street Improvements Act, 1883	782,700	0	0
6	Metropolitan Board of Works Bridges Act, 1883	134,000	0	0
6	Artizans' Dwellings	99,000	0	0
	1ST JAN. TO 31ST DEC. 1884.			
7	Hyde Park Corner Improvements	10,000	0	0
8 (*a*)	Minor Improvements, and Contributions to Local Improvements, including Street Improvements sanctioned by Parliament for which no provision is elsewhere made in this Bill	100,000	0	0
(*b*)	Parks, commons, and open spaces	15,000	0	0
(*c*)	Bridges, including Commutation of Pensions (Act of 1877)	30,000	0	0
(*d*)	Fire Brigade	35,000	0	0
(*e*)	Road by Wormwood Scrubs	6,000	0	0
(*f*)	Streets under Act of 1877	750,000	0	0
(*g*)	Thames River Prevention of Floods	10,000	0	0
(*h*)	Bridges (Act 1881)	300,000	0	0
(*i*)	Artizans' Dwellings	30,000	0	0
(*k*)	New Street, &c., under the Metropolitan and District Railways (City Lines and Extension) Act, 1879, and the Metropolitan and District Railways (City Lines and Extensions) Act, 1882	500,000	0	0
(*l*)	Brook Green (addition to)	2,000	0	0
(*m*)	Metropolitan Board of Works (Various Powers) Act, 1882	51,500	0	0
9	Main Drainage	190,000	0	0
10	Loans to vestries and district boards	200,000	0	0
10	Loans to other public bodies	100,000	0	0
11	Loans to Guardians	200,000	0	0
12	Loans to Managers of Metropolitan Asylum District	50,000	0	0
13	Loans to School Board for London	500,000	0	0
		4,165,200	0	0

Section of Act.	Purpose.	£	s.	d.	Amount. £	s.	d.
	Brought forward -				4,165,200	0	0
	AMOUNTS included above which are re-grants of borrowing power previously granted:						
	Minor Improvements - - -	100,000	0	0			
	Hyde Park Corner Improvement -	10,000	0	0			
	Parks, commons, and open spaces -	15,000	0	0			
	Bridges, including Commutation of Pensions (Act of 1877) - - -	30,000	0	0			
	Fire Brigade - - - -	15,155	0	0			
	Road by Wormwood Scrubs - -	6,000	0	0			
	Streets under Act of 1877 - -	750,000	0	0			
	Thames River Prevention of Floods -	10,000	0	0			
	Bridges (Act of 1881) - - -	300,000	0	0			
	Artizans' Dwellings - - -	30,000	0	0			
	New Street, &c., under the Metropolitan and District Railways (City Lines and Extensions) Acts, 1879 and 1882 -	500,000	0	0			
	Brook Green (addition to) - -	2,000	0	0			
	Metropolitan Board of Works (Various Powers) Act, 1882 - - -	50,970	0	0			
	Main Drainage - - - -	190,000	0	0			
	Loans to vestries and district boards -	76,400	0	0			
	Loans to other public bodies - -	19,000	0	0			
	Loans to Guardians - - -	800	0	0			
	Loans to Managers of Metropolitan Asylum District - - -	43,400	0	0			
	Loans to School Board for London -	200,000	0	0			
					2,348,725	0	0
	New borrowing powers: For Board £1,056,075 0 0 / For Loans 760,400 0 0				1,816,475	0	0

SECOND SCHEDULE.

PARKS AND OPEN SPACES ACTS.

PART I.

The Finsbury Park Act, 1857, 20 & 21 Vict. c. cl.
„ Southwark Park Act, 1864, 27 Vict. c. iv.
„ Gardens in Towns Protection Act, 1863, 26 Vict. c. 13.
„ Leicester Square Act, 1874, 37 Vict. c. x.
„ Metropolitan Open Spaces Act, 1877, 40 & 41 Vict. c. 35.
„ Metropolitan Commons Act, 1866, 29 & 30 Vict. c. 122.
„ „ „ „ Amendment Act, 1869, 32 & 33 Vict. c. 107.
„ „ „ „ 1878, 41 & 42 Vict. c. 71.
„ „ „ Supplemental Act, 1871 (Blackheath), 34 & 35 Vict. c. lvii.
„ „ „ „ „ 1871 (Shepherd's Bush), 34 & 35 Vict. c. lxiii.
„ „ „ „ „ 1872 (Hackney Commons), 35 & 36 Vict. c. xliii.
„ „ „ „ „ 1873 (Tooting Beck Common), 36 & 37 Vict. c. lxxxvi.
„ Metropolitan Board of Works (Various Powers) Act, 1875 (Tooting Graveney Common), 38 & 39 Vict. c. clxxix. sec. 14.
„ Hampstead Heath Act, 1871, 34 & 35 Vict. c. lxxvii.

The Metropolitan Commons Supplemental Act, 1877 (Clapham Common and Bostall Heath), 40 & 41 Vict. c. cci.
„ Plumstead Common Act, 1878, 41 & 42 Vict. c. cxlv.
„ Wormwood Scrubs Act, 1879, 42 & 43 Vict. c. clx.
„ Metropolitan Commons Supplemental Act, 1881 (Brook Green, Eel Brook Common, &c.), 44 Vict. c. xviii.
„ Metropolitan Board of Works (Hackney Commons) Act, 1881, 44 & 45 Vict. c. cxlvii.
„ Metropolitan Open Spaces Act, 1881, 44 & 45 Vict. c. 34.
„ Various Powers Act, 1882 (Peckham Rye and Tooting Beck), 45 & 46 Vict. c. lvi.

PART II.—*Embankment Acts.*

The Thames Embankment (North) Act, 1862, 25 & 26 Vict. c. 93., 26 & 27 Vict. c. 45.
„ „ (South) Act, 1863, 26 & 27 Vict. c. 75.
„ „ Amendment Act, 1864, 27 & 28 Vict. c. cxxxv., 27 & 28 Vict. c. 61.
„ „ (North and South) Act, 1868, 31 & 32 Vict. c. cxi., 31 & 32 Vict. c. 43.
„ „ (Chelsea) Act, 1868, 31 & 32 Vict. c. cxxxv., 32 & 33 Vict. c. 134.
„ „ (North) Act, 1870, 33 & 34 Vict. c. xcii.
„ „ „ „ 1872, 35 & 36 Vict. c. lxvi.
„ „ (Land) Act, 1873, 36 & 37 Vict. c. 40.
„ „ (South) Act, 1873, 36 Vict. c. vii.
Charing Cross and Victoria Embankment Approach Act, 1873, 36 & 37 Vict. c. c.
Metropolitan Board of Works (Various Powers) Act, 1876 (Chelsea Embankment), 39 & 40 Vict. c. lxxix.

CHAPTER 28.

An Act to amend the Companies Acts, 1862 and 1867.

[20th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Companies Act, 1883.

Construction of Act.

2. This Act shall, so far as is consistent with the terms thereof, be construed as one with the Companies Acts, 1862 and 1867.

Commencement of Act.

3. This Act shall come into force on the first day of September one thousand eight hundred and eighty-three.

Wages and salary to be preferential claims.

4. In the distribution of the assets of any company being wound up under the Companies Acts, 1862 and 1867, there shall be paid in priority to other debts,—

(*a.*) All wages or salary of any clerk or servant in respect of service rendered to the company during four months before the commencement of the winding up not exceeding fifty pounds; and

(*b.*) All wages of any labourer or workman in respect of services rendered to the company during two months before the commencement of the winding up.

Such claims to rank equally.

5. The foregoing debts shall rank equally among themselves, and shall be paid in full, unless the assets of the company are insufficient to meet them, in which case they shall abate in equal proportions between themselves.

6. Subject to the retention of such sums as may be necessary for the costs of administration or otherwise, the liquidator or liquidators or official liquidator shall discharge the foregoing debts forthwith, so far as the assets of the company are and will be sufficient to meet them, as and when such assets come into the hands of such liquidator or liquidators or official liquidator. Liquidator to discharge same upon receipt of sufficient assets.

CHAPTER 29.

An Act to consolidate the Accounting Departments of the Supreme Court of Judicature, and for other purposes.

[20th August 1883.]

WHEREAS it is expedient that there should be but one accounting department for the Supreme Court of Judicature and all the courts and divisions thereof, and it is further expedient to amend certain provisions of the Chancery Funds Act, 1872, and to provide for facilitating the business of the said department: 35 & 36 Vict. c. 44. s. 10.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. From and after the commencement of this Act there shall be one accounting department for the Supreme Court of Judicature. Pay office of the Supreme Court.

2. All securities and money at the time of the commencement of this Act vested in the Paymaster-General in pursuance of the Chancery Funds Act, 1872, and all securities and money at any time after the commencement of this Act transferred or paid into or deposited in court, to the credit of any cause, matter, or account, in the Chancery Division of the High Court of Justice, shall be vested in Her Majesty's Paymaster-General for and on behalf of the Supreme Court of Judicature, and shall continue to be and be subject to all the provisions of the Chancery Funds Act, 1872, and to the rules heretofore made and now in force under that Act, subject to such alterations therein and to such other and further rules as shall from time to time be made as thereby provided. Funds in Chancery Division. 35 & 36 Vict. c. 44. s. 10.

3. (*a.*) The Lord Chancellor, with the concurrence of the Treasury, may at any time after the passing of this Act direct that all moneys in court, or to be hereafter paid into court, in any other division of the High Court of Justice, and all securities in court placed or to be placed to the credit of any cause, matter, or account, in any such division, shall be transferred, or paid, or placed (as the case may be) to the account or credit of the Paymaster-General for and on behalf of the Supreme Court of Judicature. Funds in other divisions.

(*b.*) All moneys and securities transferred, paid, or placed to the said account or credit of the Paymaster-General under this section shall be held by the Paymaster-General for the time being in trust to attend the orders of the Court in regard thereto, and subject to rules to be made under this Act.

(*c.*) The Consolidated Fund shall be liable to make good to the suitors of the Court the moneys and securities so transferred, paid, or placed to the account or credit of the Paymaster-General.

Power to make rules.

4. (1.) The Lord Chancellor, with the concurrence of the Treasury, may from time to time make rules for giving effect to the provisions of the last preceding section, and for regulating the manner in which, subject to the orders of the court, the said moneys and securities shall be dealt with by the Paymaster-General, and may at any time revoke or alter any such rules.

(2.) The Treasury shall cause to be kept by the Paymaster-General such books and accounts, and in such form and manner as they may from time to time direct, for the purpose of duly recording the transactions under the last preceding section; and the accounts kept by the Paymaster-General in respect of such transactions shall be audited by the Comptroller and Auditor-General in the manner and subject to the conditions prescribed in section twenty of the Chancery Funds Act, 1872.

Validity of payments, &c. pursuant to Rules of Court.

5. All acts done by the Paymaster-General with reference to money and securities in Court (whether such money and securities be paid, transferred, or delivered into Court under this Act or under the provisions of the Chancery Funds Act, 1872), pursuant to and in accordance with the provisions of any general rules of the Supreme Court of Judicature made under the provisions of the Supreme Court of Judicature Act, 1875, and Acts amending the same, shall be as valid and effectual as if they had been done in pursuance of an order of the High Court of Justice or of the Court of Appeal.

38 & 39 Vict. c. 77.

Remittances by post.

6. If under any rules made by the Lord Chancellor with the concurrence of the Treasury, or any regulations of the Treasury, the Paymaster-General be authorised to make payments of money to persons entitled thereto upon their request by transmitting by post to such persons crossed cheques or other documents intended to enable such persons to obtain payment of the sums expressed therein, the posting of a letter containing such cheque or document, and addressed to any such person entitled thereto at the address given by him in his request, shall, as respects the liability of the Paymaster-General and of the Consolidated Fund respectively, be equivalent to the delivery of such cheque or document to such person himself.

Amendment of 35 & 36 Vict. c. 44. s. 10.

7. Any rules made by the Lord Chancellor with the concurrence of the Treasury under the provisions of the Chancery Funds Act, 1872, or this Act, may determine what evidence of an order of the High Court of Justice or Court of Appeal, and of the directions contained in such order, shall be necessary or sufficient, or necessary and sufficient to authorise the Governor and Company of the Bank of England or any other person to transfer on sale or otherwise, or to deliver out, any securities or other things standing in the books of or deposited with such bank or person to the credit or account of the said Paymaster-General for the time being under this or the aforesaid Act; and such securities or things shall be transferred or delivered out accordingly, on behalf of the Paymaster-General, by some officer of such bank or person, anything in section ten of the Chancery Funds Act, 1872, to the contrary thereof notwithstanding.

Short title.

8. This Act may be cited as the Supreme Court of Judicature (Funds, &c.) Act, 1883.

CHAPTER 30.

An Act to authorise Companies registered under the Companies Act, 1862, to keep Local Registers of their Members in British Colonies. [20th August 1883.]

WHEREAS many companies registered under the Companies Act, 1862, carry on business in British colonies, and dealings in their shares are frequent in such colonies, but delay, inconvenience, and expense are occasioned by reason of the absence of any legal provision for keeping local registers of members, and it is expedient that such provisions as this Act contains be made in that behalf:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited for all purposes as the Companies (Colonial Registers) Act, 1883; and this Act shall, so far as is consistent with the tenor thereof, be construed as one with the Companies Acts, 1862 to 1880, and the said Acts and this Act may be referred to as the Companies Acts, 1862 to 1883.

Definitions.

2. In this Act the term "company" means a company registered under the Companies Act, 1862, and having a capital divided into shares; the term "shares" includes stock; the term "colony" does not include any place within the United Kingdom, the Isle of Man, or the Channel Islands, but includes such territories as may for the time being be vested in Her Majesty by virtue of an Act of Parliament for the government of India, and any plantation, territory, or settlement situate elsewhere within Her Majesty's dominions.

Power for companies to keep colonial registers.

3. (1.) Any company whose objects comprise the transaction of business in a colony may, if authorised so to do by its regulations, as originally framed or as altered by special resolution, cause to be kept in any colony in which it transacts business a branch register or registers of members resident in such colony.

(2.) The company shall give to the registrar of joint stock companies notice of the situation of the office where any such branch register (in this Act called a colonial register) is kept, and of any change therein, and of the discontinuance of any such office in the event of the same being discontinued.

(3.) A colonial register shall, as regards the particulars entered therein, be deemed to be a part of the company's register of members, and shall be primâ facie evidence of all particulars entered therein. Any such register shall be kept in the manner provided by the Companies Acts, 1862 to 1880, with this qualification, that the advertisement mentioned in section thirty-three of the Companies Act, 1862, shall be inserted in some newspaper circulating in the district wherein the register to be closed is kept, and that any competent court in the colony where such register is kept shall be entitled to exercise the same jurisdiction of rectifying the same as is by section thirty-five of the Companies Act, 1862, vested, as respects a register, in England and Ireland in Her Majesty's superior courts of law or equity, and that all offences under section thirty-two of the Companies Act, 1862, may, as regards a colonial register, 25 & 26 Vict. c. 89.

be prosecuted summarily before any tribunal in the colony where such register is kept having summary criminal jurisdiction.

(4.) The company shall transmit to its registered office a copy of every entry in its colonial register or registers as soon as may be after such entry is made, and the company shall cause to be kept at its registered office, duly entered up from time to time, a duplicate or duplicates of its colonial register or registers. The provisions of section thirty-two of the Companies Act, 1862, shall apply to every such duplicate, and every such duplicate shall, for all the purposes of the Companies Acts, 1862 to 1880, be deemed to be part of the register of members of the company.

(5.) Subject to the provisions of this Act with respect to the duplicate register, the shares registered in a colonial register shall be distinguished from the shares registered in the principal register, and no transaction with respect to any shares registered in a colonial register shall, during the continuance of the registration of such shares in such colonial register, be registered in any other register.

(6.) The company may discontinue to keep any colonial register, and thereupon all entries in that register shall be transferred to some other colonial register kept by the company in the same colony, or to the register of members kept at the registered office of the company.

(7.) In relation to stamp duties the following provisions shall have effect:—

(*a.*) An instrument of transfer of a share registered in a colonial register under this Act shall be deemed to be a transfer of property situated out of the United Kingdom, and unless executed in any part of the United Kingdom shall be exempt from British stamp duty.

(*b.*) Upon the death of a member registered in a colonial register under this Act, the share or other interest of the deceased member shall for the purposes of this Act so far as relates to British duties be deemed to be part of his estate and effects situated in the United Kingdom for or in respect of which probate or letters of administration is or are to be granted, or whereof an inventory is to be exhibited and recorded in like manner as if he were registered in the register of members kept at the registered office of the company.

(8.) Subject to the provisions of this Act, any company may, by its regulations as originally framed, or as altered by special resolution, make such provisions as it may think fit respecting the keeping of colonial registers.

CHAPTER 31.

An Act to prohibit the Payment of Wages to Workmen in Public-houses and certain other places.

[20th August 1883.]

35 & 36 Vict. c. 76. 35 & 36 Vict. c. 77.

WHEREAS by the Coal Mines Regulations Act, 1872, and the Metalliferous Mines Regulation Act, 1872, the payment in public-houses, beershops, or other places in the said Acts mentioned of wages to persons employed in or about any mines to which the

said Acts apply is prohibited, and it is expedient to extend such prohibition to the payment in public-houses, beershops, and other places in England and Scotland of wages to all workmen as defined by this Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Payment of Wages in Public-houses Prohibition Act, 1883.

Definition of workman.

2. In this Act the expression "workman" means any person who is a labourer, servant in husbandry, journeyman, artificer, handicraftsman, or is otherwise engaged in manual labour, whether under the age of twenty-one years or above that age, but does not include a domestic or menial servant, nor any person employed in or about any mine to which the Coal Mines Regulation Act, 1872, or the Metalliferous Mines Regulation Act, 1872, applies.

No wages to be paid within public-house.

3. From and after the passing of this Act no wages shall be paid to any workman at or within any public-house, beershop, or place for the sale of any spirits, wine, cyder, or other spirituous or fermented liquor, or any office, garden, or place belonging thereto or occupied therewith, save and except such wages as are paid by the resident owner or occupier of such public-house, beershop, or place to any workman bonâ fide employed by him.

Every person who contravenes or fails to comply with or permits any person to contravene or fail to comply with this Act shall be guilty of an offence against this Act.

And in the event of any wages being paid by any person in contravention of the provisions of this Act for or on behalf of any employer, such employer shall himself be guilty of an offence against this Act, unless he prove that he had taken all reasonable means in his power for enforcing the provisions of this Act and to prevent such contravention.

Penalties.

4. Every person who is guilty of an offence against this Act shall be liable to a penalty not exceeding ten pounds for each offence; and all offences against this Act may be prosecuted and all penalties under this Act may be recovered by any person summarily in England in the manner provided by the Summary Jurisdiction Acts, and in Scotland in the manner provided by the Summary Jurisdiction (Scotland) Acts, 1864 and 1881.

Act not to apply to Ireland.

5. This Act shall not apply to Ireland.

CHAPTER 32.

An Act to make further provision respecting the application of the Revenues of Greenwich Hospital, and for other purposes. [20th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction of Act.

1. This Act may be cited as the Greenwich Hospital Act, 1883, and this Act and the Greenwich Hospital Acts, 1865 to 1872, shall be read and have effect together as one Act, and may be cited together as the Greenwich Hospital Acts, 1865 to 1883.

Powers for grant of Pensions, &c. out of Greenwich Hospital Funds.

Power to grant pensions, allowances, and gratuities.

2. The Admiralty may out of the funds of Greenwich Hospital from time to time grant pensions to widows and allowances to children of—

(*a.*) Non-commissioned officers and petty officers and men of the Royal Navy and Marines killed or drowned in the service of the Crown, or on lifeboat service; and of

(*b.*) Men of the Royal Naval Volunteers killed or drowned in the service of the Crown; and of

(*c.*) Men killed or drowned in the service of the Crown while serving in the Seamen Pensioners' Reserve; and of

(*d.*) Men of the Royal Naval Artillery Volunteer Force killed or drowned in the service of the Crown.

The Admiralty may out of the said funds from time to time grant gratuities to parents or other relatives dependent on any such non-commissioned officer, petty officer, or man, as aforesaid, killed, drowned, or deceased as aforesaid, so, however, that the total expenditure in such gratuities shall not exceed in any one year the sum of five hundred pounds.

The Admiralty may, if they see fit, by regulations made as herein-after mentioned, extend the powers and provisions of this section to cases where such non-commissioned officers, petty officers, or men as aforesaid, die from the effects of any injury or disease caused by extraordinary exposure or exertion in the service of the Crown.

No person shall be eligible to receive any benefit under this section on account of the decease of any such non-commissioned officer, petty officer, or man as aforesaid, which took place before the fourth day of June one thousand eight hundred and eighty.

Power to provide for education and maintenance of sons of seamen, &c.

3. The Admiralty may out of the funds of Greenwich Hospital from time to time provide wholly or in part for the education and maintenance of sons of deceased or incapacitated warrant officers, non-commissioned officers, petty officers, and men of the Royal Navy and Marines, and also for the education and maintenance of sons of men of the Royal Naval Volunteers and Royal Naval Artillery Volunteer Force killed or drowned in the service of the Crown.

Regulations by Admiralty.

4. Subject to the provisions of this Act, the Admiralty may from time to time make such regulations as may seem fit for determining the nature and amount of the pensions, allowances, gratuities, and payments for education and maintenance to be granted or made under the powers of this Act, according to the circumstances of different cases, and for governing the selection of the persons to receive the benefit of this Act. Regulations made by the Admiralty under this Act shall not have effect unless and until they are approved by Her Majesty in Council.

Pensions, &c. to be voted by Parliament.

5. All pensions allowances gratuities and payments granted or made under the authority of this Act, shall be in the first instance

defrayed out of money provided by Parliament for that purpose, and shall be repaid to the Consolidated Fund of the United Kingdom from the Greenwich Hospital Income Account in like manner as money expended out of money provided by Parliament for the purposes of the Greenwich Hospital Act, 1865, is repaid thereto. and money to be repaid.

6. All gratuities or allowances purporting to have been granted or made before the passing of this Act under the authority of an Order of Her Majesty in Council dated the fourth day of February one thousand eight hundred and seventy-five, shall be deemed to have been authorised by the Greenwich Hospital Act, 1865. Removal of doubts as to grants under Order in Council of 1875. 28 & 29 Vict. c. 89.

7. The decision of the Admiralty respecting the eligibility of any person to receive any benefit under the Acts, Orders in Council, and regulations which govern the administration of the revenues of Greenwich Hospital, or respecting any other question arising as to the appointment or grant of any pension, allowance, gratuity, or benefit under those Acts, Orders, and regulations, shall be binding and conclusive to and for all intents and purposes. Decision of Admiralty respecting grants conclusive.

Vesting of Property Mortgaged to Admiralty.

8. All lands, rates, and other property which have been or been expressed to be conveyed, assigned, or assured by way of mortgage to the Admiralty or to trustees on behalf of the Admiralty, by any instrument in force at the time of the passing of this Act, shall by virtue of this Act continue to be or be vested in the Admiralty for the time being for the same estates, but subject to the equities of redemption subsisting in or affecting the same respectively; and all lands, rates, and other property conveyed, assigned, or assured after the passing of this Act by way of mortgage to secure any moneys advanced by the Admiralty shall be conveyed, assigned, or assured to and vest in the Admiralty for the time being; and all lands, rates, and other property vested in the Admiralty under this section shall go to and be held by the Lord High Admiral for the time being or the Commissioners for the time being for executing the office of Lord High Admiral in succession, in trust for Her Majesty, her heirs and successors, for the exclusive benefit of Greenwich Hospital. Vesting in Admiralty of property mortgaged.

CHAPTER 33.

An Act to amend the Irish Reproductive Loan Fund Act, 1874. [20th August 1883.]

WHEREAS under the provisions of an Act of Parliament passed in the session of thethirty-seventh and thirty-eighth years of the reign of Her present Majesty, chapter eighty-six, intituled the Irish Reproductive Loan Fund Act, 1874, as amended by an Act of Parliament passed in the forty-fifth year of the reign of Her present Majesty, intituled "An Act to amend the Irish Reproductive Loan "Fund Act, 1874," the property in the fund known as the Irish Reproductive Loan Fund was passed to and vested in the Commissioners of Public Works in Ireland upon trust that the said Commissioners should dispose of the same by way of loan for the promotion of such purposes or objects of public utility not otherwise 37 & 38 Vict. c. 86.

provided for in whole or in part by local rate or assessment, including the instruction in and the promotion of agricultural science in the counties of Clare, Cork, Galway, Kerry, Leitrim, Limerick, Mayo, Roscommon, Sligo, and Tipperary:

And whereas it was by the said Acts further enacted that in eight of the said counties referred to in the former of the said Acts as "maritime counties" (being the counties above enumerated with the exception of the counties of Roscommon and Tipperary), such purposes should be deemed to include purposes defined in the said Acts as "fishery purposes," for which fishery purposes the Commissioners were empowered to advance by way of loan such amount not exceeding in the whole the amount standing to the credit of each of the eight counties in any year as the Inspectors of Irish Fisheries might from time to time recommend:

And whereas doubts have arisen with regard to the scope and meaning of the expression "such purposes of public utility not "otherwise provided for in whole or in part by local rate or "assessment," and by reason of such doubts the counties of Roscommon and Tipperary, not being maritime counties, have been debarred from participating in the benefits of the said Irish Reproductive Loan Fund:

And whereas it is desirable that the counties of Roscommon and Tipperary should be enabled to participate in the benefit of such portions of the said funds as may stand to the credit of each of such counties respectively in any year:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Irish Reproductive Loan Fund Amendment Act, 1883.

Amendment of sec. 4 of 37 & 38 Vict. c. 86.

2. As regards the counties of Roscommon and Tipperary the words contained in the fourth section of the Act thirty-seventh and thirty-eighth Victoria, chapter eighty-six, "not otherwise pro- "vided for in whole or in part by local rate or assessment," are hereby repealed.

Loans to town commissioners from Irish Reproductive Loan Fund.

3. Subject to the provisions of this Act it shall be lawful for the Commissioners of Public Works in Ireland to advance by way of loan to the town commissioners of every town situated wholly or partially within the counties of Roscommon or Tipperary which has adopted the provisions of the Towns Improvement (Ireland) Act, 1854, such amount of the Irish Reproductive Loan Fund, not exceeding in the whole the amount standing to the credit of each of the said counties respectively in any year, as the Commissioners, with the consent of the Treasury, may from time to time think proper for such objects of public utility as may be approved by the Treasury.

Steps to be taken to procure loan.

4. Prior to the advance of any such loan as is in the last section mentioned, the town commissioners requiring a loan shall forward a written representation to the Commissioners of Public Works stating the object of public utility for which the loan is required, accompanied by an estimate of the amount to be expended upon the proposed works or objects, and by such maps, plans, and

explanations as may be sufficient to satisfy the Commissioners of the public utility of the proposed works or objects, and that the amount required to be advanced is reasonably adequate to carry out the proposed works or objects; the town commissioners shall likewise specify the period within which they propose that the said loan should be repaid and the fund or rate upon which it is intended to be secured, and shall satisfy the Commissioners of the adequacy of such security.

Conditions of loan.

5. The exercise of the powers of borrowing conferred by this Act shall be subject to the following regulations:—

(1.) Money shall not be borrowed except for permanent objects of public utility (including under the expression any works of which the cost ought in the opinion of the Commissioners to be spread over a term of years):

(2.) The money may be borrowed for such time not exceeding thirty-five years as the Commissioners determine in each case, and subject as aforesaid the town commissioners shall repay the moneys so borrowed in such manner as the Commissioners, with the consent of the Treasury, may from time to time determine:

(3.) There shall be charged by way of interest in respect of loans such interest (if any) not exceeding two pounds ten shillings per centum as the Commissioners may from time to time determine:

(4.) No money shall be expended under this Act on any institution having for its object the reformation of criminals.

Rate for repayment of loan.

6. It shall be lawful for the town commissioners of any town to which a loan is made in pursuance of the provisions of this Act in case no fund exists or no sufficient portion of the rates of such town is available for the repayment of such loan to levy a rate for the purpose of repaying such loan, provided that the rate levied under this section does not exceed one penny in the pound upon the entire assessable value of the area over which the jurisdiction to levy rates of such town commissioners extends, and such town commissioners shall have all such powers to enforce the payment of any rate levied in pursuance of this section as are now possessed by them to enforce payment of the ordinary rates payable in respect of such town.

Power of mortgaging.

7. The town commissioners of any town requiring a loan under the provisions of this Act are hereby authorised and empowered to charge and mortgage to the Commissioners any portion of the rates of such town or the special rate levied in pursuance of the last preceding section for securing the repayment of such loan with interest at the time or times specified by the Commissioners, and in the event of the nonpayment of such loan or any part thereof at the time or times so specified it shall be lawful for the Commissioners to sequester such portion of the rates or such special rate as may have been mortgaged or charged to them for the purposes aforesaid, and to collect the same until the loan or the portion thereof unpaid shall have been satisfied, and for this purpose the Commissioners shall have and are hereby empowered to use all the remedies possessed by the town commissioners for the collection and enforcement of such rates or special rate.

Interpretation.

8. In this Act, if not inconsistent with the context, the following terms have the meanings hereby respectively assigned to them; that is to say,

"Commissioners" means the Commissioners of Public Works in Ireland.

17 & 18 Vict. c. 103.

"Town commissioners" means the commissioners appointed under the Towns Improvement (Ireland) Act, 1854, and any Act amending the same; and in the case of towns in which the governing body is a town council, but in which the Towns Improvement (Ireland) Act, 1854, is in force, the term "town commissioners" includes such town council.

17 & 18 Vict. c. 103.

"Town" means any town as defined by section one of the Towns Improvement (Ireland) Act, 1854, which has adopted that Act.

"Treasury" means the Commissioners of Her Majesty's Treasury.

This Act to be construed with 37 & 38 Vict. c. 86.

9. This Act and the Act thirty-seventh and thirty-eighth Victoria, chapter eighty-six, shall be read and construed as one Act, except in so far as the provisions of the said Act are inconsistent with or repealed by the provisions of the present Act.

CHAPTER 34.

An Act to amend the Law relating to Railway Passenger Duty, and to amend and consolidate the Law relating to the conveyance of the Queen's Forces by Railway.

[20th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Cheap Trains Act, 1883.

Abolition of passenger duty for cheap trains, and reduction on urban traffic.

2. After the commencement of this Act the duties now payable in respect of passengers conveyed for hire on a railway shall, subject to the provisions of this Act, be varied as follows:

(1.) Fares not exceeding the rate of one penny a mile shall be exempt from duty; but fares for return or periodical tickets shall be exempt from duty only where the ordinary fare for the single journey does not exceed that rate:

(2.) Duty shall be payable at the rate of two per cent. on fares exceeding the rate of one penny a mile for conveyance between railway stations within one urban district certified so to be in manner provided in this section:

(3.) Where the Board of Trade are satisfied that any two or more railway stations are within an area which has a continuous urban as distinguished from a rural or suburban character, and contains a population of not less than one hundred thousand inhabitants, the Board of Trade may certify that those stations are within one urban district for the purposes of this Act. The Board of Trade may from time to time and at any time rescind or vary any certificate given by them under this section.

Provision for proper third-class accommodation and workmen's trains.

3. (1.) If at any time the Board of Trade have reason to believe—

(*a.*) that upon any railway or part of a railway, or upon any line or system of railways, whether belonging to one company or to two or more companies, which forms a continuous means of communication, a due and sufficient proportion of the accom-

modation provided by such company or companies is not provided for passengers at fares not exceeding the rate of one penny a mile ; or

(*b.*) that upon any railway carrying passengers proper and sufficient workmen's trains are not provided for workmen going to and returning from their work at such fares and at such times between six o'clock in the evening and eight o'clock in morning as appear to the Board of Trade to be reasonable,

then and in either case the Board of Trade may make such inquiry as they think necessary, or may, if required by the company or any of the companies concerned, refer the matter for the decision of the Railway Commissioners, who shall have the same power therein as if it had been referred to their decision in pursuance of the Regulation of Railways Act, 1873.

(2.) If on an inquiry under this Act it is proved to the satisfaction of the Board of Trade or the Railway Commissioners, as the case may be, that such proper and sufficient accommodation or workmen's trains as aforesaid are not provided by any railway company, the Board of Trade or the Railway Commissioners, as the case may be, may order the company to provide such accommodation or workmen's trains at such fares as, having regard to the circumstances, may appear to the said Board or the Commissioners to be reasonable.

(3.) If any company on whom an order is made under this Act to provide proper and sufficient accommodation or workmen's trains refuse, or, at any time after the expiration of one month from the making thereof, neglect to comply with the order, the Board of Trade shall issue a certificate to that effect to the Commissioners of Inland Revenue, and after the date of such certificate the company shall lose the benefit of this Act and be liable to pay in respect of the fares received after such date the same amount of passenger duty as would be payable if the passenger duty had not been varied as provided by this Act, and shall continue so liable in respect of all fares received up to the date at which the Board of Trade certify that the company has complied with the said order. Where two or more companies are concerned, the certificate shall state whether both or all, or one or more, and which of them is in default.

(4.) A company on whom an order is made by the Board of Trade under this section may within six months after the making of the order appeal to the Railway Commissioners, who shall have the same power in the matter as if it had been originally referred to their decision.

(5.) The Board of Trade or the Railway Commissioners, as the case may be, may rescind or vary any order made by them under this section.

Provision as to special mileage and exceptional charges.

4. (1.) Where any Act of Parliament allows a number of miles greater than the actual number of miles to be reckoned for the purpose of calculating the fares on any part of a railway, the mileage so allowed shall be deemed for the purposes of this Act to be the mileage of that part of the railway.

(2.) Where any Act of Parliament allows special or exceptional charges upon any part of a railway, that part shall for the purpose

of calculating fares under this Act be deemed to be a separate railway.

Proviso as to fractions of miles. 21 & 22 Vict. c. 75.

5. For the purposes of this Act fares shall not be deemed to exceed the rate of one penny a mile which do not exceed one penny for a single journey of any distance less than a mile, or, where the distance travelled, being more than one mile, is any number of complete half-miles and a fraction not less than a quarter of a mile, do not exceed one halfpenny for every half-mile and one halfpenny for the fraction; but for a child between three and twelve years of age the fare shall not exceed half an adult's fare, and children under three years of age shall be conveyed free of charge: Provided that a railway company shall not be bound to charge less than one penny to any person over three years of age for any single journey.

Any charge or fare which by any local and personal Act relating to any railway is declared to be a charge or fare consistent with the provisions of the enactments relating to passenger duty which are repealed by this Act shall be deemed for the purposes of this Act to be a fare not exceeding the rate of one penny a mile.

Conveyance of the Queen's forces at reduced rates.

6. (1.) For the purpose of moving by railway on any occasion of the public service—

(*a*) any of the officers or men in or belonging to Her Majesty's navy, or royal naval volunteers, and any other officers or men under the command or government of the Admiralty; and

(*b*) any of the officers or soldiers in Her Majesty's regular reserve or auxiliary forces (within the meaning of the Army Act, 1881, or any Act amending the same) for the time being subject to military law; and

44 & 45 Vict. c. 58.

(*c*) any officers or men of any police force;

(all and any of which officers, soldiers, and men are in this Act called "the forces");

every railway company shall, on the production of a route duly signed for the conveyance of the forces, provide conveyance for them and their personal luggage, and also for any public baggage, stores, arms, ammunition, and other necessaries and things, whether actually accompanying the forces or not, at all usual times at which passengers are conveyed by the company, on such terms as may be agreed on between the railway company and the Secretary of State, Admiralty, or police authority, and subject to or in default of agreement on the following terms:

(i.) The passenger carriages provided shall be of such classes in use on the railway, and in such proportions, as specified in the route, all carriages being protected from the weather and having proper accommodation:

(ii.) The fares shall not exceed the following proportions of the fares charged to private passengers for the single journey by ordinary train in the respective classes of carriages specified in the route, that is to say, if the number of persons conveyed is less than one hundred and fifty, three fourths; and if the number is one hundred and fifty or more, then for the first one hundred and fifty, three fourths, as for four officers and one hundred and forty-six soldiers or other persons; and for the numbers in excess of the said one hundred and fifty, one half:

(iii.) This section shall apply to such wives, widows, and children of members of the forces as are entitled to be conveyed at the public expense, in like manner as if they were part of the forces, but children less than three years old shall be conveyed free of charge, and the fare for a child more than three and less than twelve years old shall be half the fare payable under this section for an adult:

(iv.) One hundredweight of personal luggage shall be conveyed by the railway company free of charge for every one conveyed under this section who is required by the route to be conveyed first-class, and half a hundredweight for every other person conveyed; and any excess of weight shall be conveyed at not more than two thirds of the rate charged to the public for excess luggage:

(v.) The said public baggage, stores, arms, ammunition, necessaries, and things shall be carried at rates not exceeding twopence per ton per mile, the assistance of the forces to be given when available in loading and unloading the same:

(vi.) Provided that the company shall not be bound under this section to carry gunpowder or other explosive or combustible matters except on terms agreed upon between the company and the Admiralty or one of Her Majesty's Principal Secretaries of State, as the case may be.

(2.) For the purposes of this section a route duly signed shall be deemed to be a route issued and signed in accordance with section one hundred and three of the Army Act, 1881, or an order signed by a person authorised in this behalf by one of Her Majesty's Principal Secretaries of State, or a route or order signed by a person authorised in this behalf by the Admiralty, or, as regards the police, a route or order signed by a person authorised in this behalf by the police authority.

(3.) Fares payable under this section shall be exempt from passenger duty.

(4.) Where a company has by refusal or neglect to comply with an order of the Board of Trade or the Railway Commissioners lost the benefit of this Act, that company shall, until its compliance is certified as in this Act provided, be exempt from the provisions of this section, but shall be bound to convey all such persons and things as mentioned in this section on the same terms as if this Act had not been passed.

Amendment of 5 & 6 Vict. c. 79. ss. 4 & 7.

7. The Act of the fifth and sixth years of Her Majesty's reign, chapter seventy-nine, intituled "An Act to repeal the duties payable on stage carriages and on passengers conveyed upon railways and certain other stamp duties in Great Britain, and to grant other duties in lieu thereof, and also to amend the laws relating to the stamp duties," is hereby amended in the following respects:—

(*a.*) In lieu of the affidavit required by section four of the said Act in verification of accounts rendered for the purposes of railway passenger duty, every such account shall be certified to be a full and true account under the hand of the person by whom the affidavit would have been made if this Act had not been passed.

(*b.*) The Commissioners of Inland Revenue may, at their discretion, dispense with the security by bond required by section seven of the said Act.

Definitions.

8. In this Act, unless a contrary intention appears from the context—

The term "fare" includes all sums received or charged for the hire, fare, or conveyance of passengers upon or along any railway:

The term "railway company" includes any person being the owner or lessee of or working any railway in the United Kingdom constructed or carried on under the powers of any Act of Parliament:

The term "the Admiralty" means the Lord High Admiral of the United Kingdom for the time being, or the Commissioners for the time being for executing the office of Lord High Admiral:

The term "police force" means the police force of the metropolitan police district or any county, borough, or place maintaining a separate police force:

The term "police authority" means the Secretary of State, quarter sessions, watch committee, police committee, police commissioners, or other authority having the management of a police force.

Anything which the Board of Trade is by this Act empowered or required to do may be done by writing under the hand of the President or Secretary or one of the Assistant Secretaries of the Board.

Commencement of Act.

9. This Act shall come into operation on the first day of October one thousand eight hundred and eighty-three, which day is in this Act referred to as the commencement of this Act.

Repeal.

10. Without prejudice to anything done or suffered, or any right acquired or liability incurred before the commencement of this Act, the Acts specified in the Schedule to this Act are hereby repealed, as from the commencement of this Act, to the extent specified in the third column of the Schedule, except so far as such Acts apply to Ireland, and except as respecting the conveyance of forces by companies who lose the benefit of this Act.

Extent of Act.

11. This Act shall not extend to Ireland.

SCHEDULE.

Session and Chapter.	Title.	Extent of Repeal.
5 & 6 Vict. c. 55. -	An Act for the better regulation of railways and for the conveyance of troops.	Section twenty.
7 & 8 Vict. c. 85. -	An Act to attach certain conditions to the construction of future railways authorised or to be authorised by any Act of the present or succeeding sessions of Parliament; and for other purposes in relation to railways.	Sections six, seven, eight, nine, ten, and twelve.
16 & 17 Vict. c. 69.	An Act to make better provision concerning the entry and service of seamen, and otherwise to amend the laws concerning Her Majesty's Navy.	Section eighteen.

Session and Chapter.	Title.	Extent of Repeal.
21 & 22 Vict. c. 75.	An Act to amend the law relating to cheap trains, and to restrain the exercise of certain powers by canal companies being also railway companies.	Sections one and two.
26 & 27 Vict. c. 33.	An Act for granting to Her Majesty certain duties of inland revenue; and to amend the laws relating to the inland revenue.	Section fourteen.

CHAPTER 35.

An Act to make better provision as regards the Metropolis for the isolation and treatment of persons suffering from Cholera and other Infectious Diseases; and for other purposes. [20th August 1883.]

WHEREAS it is expedient that further powers be conferred on certain local authorities in the metropolis for the provision of hospital accommodation, and the isolation and treatment in suitable hospitals of persons suffering from cholera and other infectious diseases; and that better provision be made respecting the powers of the port sanitary authority of the port of London, and other matters:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Diseases Prevention (Metropolis) Act, 1883.

Managers of Metropolitan Asylum District to be local authority for certain purposes of Diseases Prevention Act. 18 & 19 Vict. c. 116.

2. The managers of the Metropolitan Asylum District (in this Act referred to as "the managers") shall be within that district a local authority under the Diseases Prevention Act, 1855, for such purposes of the said Act, and with such powers and duties as may from time to time be specified by regulations of the Local Government Board.

Subject to such regulations the managers may from time to time utilise any of their buildings, ambulances, and other property, and their staff, for the execution of any powers or duties conferred or imposed on them under the said Act and this Act.

Power of managers to contract for reception of cholera patients.

3. Any authority or body of persons having the management and control of any hospital, infirmary, asylum, or workhouse may from time to time let the same or any part thereof to the managers; or may enter into and carry into effect contracts with the managers for the reception, treatment, and maintenance therein of persons suffering from cholera within the district of the managers.

Provided that the power conferred by this section shall not, without the consent of the Local Government Board, be exercised with respect to any asylum under the Metropolitan Poor Act, 1867, or any workhouse.

Expenses of managers and other local authorities.

30 Vict. c. 6.

4. All expenses incurred by the managers in the execution of any powers and duties conferred or imposed on them under the Diseases Prevention Act, 1855, and this Act, shall be defrayed in the same manner as the expenses mentioned in section thirty-one of the Metropolitan Poor Act, 1867, are to be defrayed under that section; and shall be raised and be recoverable in the same manner as expenses under the last-mentioned Act.

The amount expended by any local authority in the metropolis under the Diseases Prevention Act, 1855, other than the managers, in providing any building for the reception of patients or other persons under that Act, shall, to such extent as may be determined by the Local Government Board, together with two thirds of the salaries or remuneration of any officers or servants employed in any such building under that Act, be repaid to them from the Metropolitan Common Poor Fund by the receiver of that fund, out of any moneys for the time being in his hands, upon the precept of the said Board, to be issued by them after the production of such evidence in support of the expenditure as they may deem satisfactory, and the Board may require contributions for the purpose of raising the sums so repayable.

Power of vestries and district boards to borrow for hospitals.

18 & 19 Vict. c. 120.

5. The provision of hospital accommodation under the Sanitary Act, 1866, shall be deemed to be a purpose for which vestries and district boards in the metropolis are authorised to borrow under the Metropolis Management Act, 1855, and sections one hundred and eighty-three to one hundred and ninety-one (both included) of that Act shall apply and have effect accordingly.

Managers to provide places for embarkation, &c. of patients.

6. Whereas it is necessary, in order to facilitate the conveyance by water to hospital ships and hospitals on or near the Thames of persons suffering from infectious disease, that the managers should provide wharves or landing places for that purpose: Be it therefore enacted that it shall be the duty of the managers and they are hereby required to provide on the banks of the said river wharves or landing places, not exceeding three in number, within the metropolis, and one wharf or landing place beyond the metropolis, with convenient approaches thereto respectively, for the embarkation and landing of persons removed to or from any hospital ship or hospital belonging to the managers, and for any other purpose in relation thereto. The provision of such wharves or landing places and approaches shall be deemed to be a purpose of the Metropolitan Poor Act, 1867, and so much of the Lands Clauses Acts as relates to the purchase of lands otherwise than by agreement may be put in force for such purpose in the manner provided by section fifty-three of that Act, but not without such advertisements and notices as are mentioned in section fifty-four of the same Act; and when such wharves or landing places and approaches have been provided on sites approved by order of the Local Government Board, the same shall be deemed to be expressly authorised by this Act.

Admission into hospital not parochial relief so as to disqualify.

7. The admission of a person suffering from infectious disease into any hospital or hospital ship provided by the managers, or the maintenance of any such person therein, shall not be considered to be parochial relief, alms, or charitable allowance to any person, or to the parent of any person, and no such person or his parent shall by reason thereof be deprived of any right or privilege, or be subject to any disability or disqualification.

8. The Local Government Board shall be deemed to have been empowered to assign to the port sanitary authority of the port of London for the whole of the said port the powers rights duties capacities liabilities and obligations which they have assigned to them; and the said Board may, from time to time, assign to the said port sanitary authority for the whole of the said port any powers rights duties capacities liabilities and obligations of an urban sanitary authority under the Public Health Act, 1875, with such modifications and additions (if any) as may appear to the Board to be required. Port sanitary authority of port of London.

The said port sanitary authority may acquire and hold land for the purposes of their constitution without any license in mortmain.

9. Nothing in this Act shall be deemed or construed to exempt any local authority in the metropolis from the performance of any duties or liabilities assigned to them by regulations of the Local Government Board under the Diseases Prevention Act, 1855. Saving for duties, &c. of local authorities.

10. The power of the Local Government Board to issue directions and regulations under the Diseases Prevention Act, 1855, shall extend to issuing directions and regulations with respect to the powers and duties of the managers as a local authority under the Diseases Prevention Act, 1855, and with respect to the adjustment of their functions relatively to those of other local authorities under the said Act and this Act. Power of Local Government Board to make regulations.

11. The Diseases Prevention Act, 1855, shall be deemed to apply to the hamlet of Mottingham, in the county of Kent, and the rural sanitary authority of the Lewisham Union shall (subject to the provisions of this Act) be the local authority for the execution of the said Act in the said parish, and their expenses shall be defrayed in like manner as their general expenses in the execution of the Public Health Act, 1875. Provision for hamlet of Mottingham. 38 & 39 Vict. c. 55.

12. In and for the purposes of this Act, words and expressions have the same meanings, unless inconsistent with the context, as they have in the Metropolitan Poor Act, 1867. Interpretation. 30 Vict. c. 6.

"Cholera" includes choleraic diarrhœa.

"Diseases Prevention Act, 1855," includes any Act or Acts amending the same. 18 & 19 Vict. c. 116.

13. This Act shall not continue in force after the first day of September one thousand eight hundred and eighty-four, except so far as regards any property acquired, act done, or liability incurred under it prior to that date, and except as regards the Port Sanitary Authority of London. Duration of Act.

CHAPTER 36.

An Act to provide for the better application and management of the Parochial Charities of the City of London.

[20th August 1883.]

WHEREAS it is desirable to make provision for the better application and management of the parochial charities of the City of London:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the City of London Parochial Charities Act, 1883.

I.—*Appointment and Powers of Commissioners.*

Appointment of Commissioners.

2. The Charity Commissioners for England and Wales (hereinafter called the Commissioners) shall be Commissioners under this Act and have the following powers for the purposes thereof, viz.:

16 & 17 Vict. c. 137.

(1.) Power to exercise, without application, any of the powers vested in them by the Charitable Trusts Act, 1853, and the Acts amending the same:

(2.) The like power, jurisdiction, and authority to summon or order persons to give evidence, or bring, produce, or give inspection of documents, and to administer oaths, and to take affidavits and declarations, and to enforce their orders or directions, and generally all such power, jurisdiction, and authority as might be exercised by the High Court of Justice if the matters and questions referred to them had come before that Court, and in relation to the taking of oaths and the making of affidavits and declarations the proceedings before them shall deem to be judicial proceedings:

(3.) Power to determine whether any property is or is not charity property subject to the powers of this Act.

Appointment of additional Charity Commissioners.

3. Her Majesty and her successors may at any time after the passing of this Act, by warrant under Her Sign Manual, appoint any number of persons, not exceeding two, to be paid Charity Commissioners for England and Wales, who shall hold office during Her Majesty's pleasure, and their salaries shall, unless otherwise directed by Parliament, cease to be paid after the expiration of the period prescribed by this Act for the duration of the powers and duties vested in or imposed upon the Charity Commissioners for England and Wales by this Act.

Save as in this section mentioned, the additional Commissioners shall have the same powers, and perform the same duties, and stand in all respects in the same position as the other paid Charity Commissioners, with the exception of the Chief Commissioner.

The Commissioners of Her Majesty's Treasury may allow the Charity Commissioners to employ such number of assistant commissioners, clerks, architects, actuaries, surveyors, and other officers as the Commissioners of Her Majesty's Treasury may think necessary for the purpose of enabling the Charity Commissioners to perform the additional duties imposed upon them by this Act.

Duration of powers of Commissioners.

4. The powers of the Commissioners conferred by this Act shall continue until the end of the year one thousand eight hundred and eighty-seven, but it shall be lawful for Her Majesty the Queen from time to time, with the advice of Her Privy Council, to continue the powers of the Commissioners for such time as Her Majesty thinks fit, but not beyond the end of the year one thousand eight hundred and eighty-nine.

II.—*Inquiry and Statement.*

Commissioners to inquire into the charity

5. The Commissioners shall as soon as may be proceed to inquire into the nature, tenure, and value of all the property and endow-

ments belonging to the charities mentioned in the Digest of Parochial Charities of the City of London, referred to in the Thirteenth Report of the Charity Commissioners for England and Wales, and every of them, and every other charity the property or income of which is applicable or applied to or for the benefit of any parish or part of a parish within the City of London or of any inhabitant or inhabitants thereof (herein-after called the said parochial charities), and the purposes or trusts for or upon which the same have heretofore been or are now held or enjoyed and to which the income thereof has been or is now applied, and shall classify the said property in two schedules. They shall place in one of such schedules all property (herein-after called "ecclesiastical charity property") which shall be proved to their satisfaction to have been originally given to or for, or to have been duly ordered by any Act of Parliament, judgment of a court, or other authority competent in that behalf, to be applied to or for, and to have been accordingly applied to or for any spiritual purpose which is now a legal purpose, or for the benefit of any spiritual person as such, or for the erection, maintenance, or repair of any ecclesiastical buildings, or for the maintenance of divine service therein, even although such purpose may now have failed, but the user of property for an ecclesiastical or any other purpose shall not be conclusive evidence that such property was originally given for such a purpose, but shall be taken into account by the Commissioners in determining whether in each case such property is or is not to be deemed to have been originally given for such a purpose, provided that no property shall be deemed to be ecclesiastical which shall not have been given or applied to or for or in connexion with the Church of England. In the other of such schedules they shall place all other charity property (herein-after called "general charity property"). The Commissioners shall specify in the said schedules the objects or purposes to or for which the said property is now applied, and all vested interests now existing in or upon or in anywise affecting any part of such property.

property, and classify same in two schedules, one of ecclesiastical and the other of general charity property.

6. Where property scheduled by the Commissioners as ecclesiastical has been mixed with property scheduled by them as general charity property, or where the income of any property is considered by them to be partly ecclesiastical and partly general, the Commissioners shall determine and state how much of such property or income, as the case may be, shall be taken to be ecclesiastical, and how much of the same shall be taken to be general.

Where property is mixed, Commissioners to apportion ecclesiastical and general.

7. No person shall be deemed to have any vested interest within the meaning of this Act if the office which he may hold or the emolument which he may receive shall be one tenable or receivable at the pleasure of some other person or persons, but the Commissioners shall consider and may declare what person or persons have, in their opinion, owing to the circumstances of the position of such person or persons, or generally on moral grounds, any fair or equitable claim to continue to receive any emolument now received by him or them out of any endowment.

As to vested interests and equitable claims.

8. The Commissioners shall in such form as they may think most convenient print and publish a statement or successive statements

Commissioners to publish result of inquiry.

containing the findings and determinations at which they shall have arrived in the course of the inquiry aforesaid.

Commissioners to send copy of statement to governing bodies, &c.

9. The Commissioners shall send a copy of every such statement to the governing body of every endowment affected by such statement, and also to the vestry clerk of every parish in which any endowment affected by such statement is applicable, and also to the Remembrancer of the City of London.

Person claiming vested interest not recognised by Commissioners or denying existence of charitable trust may apply to High Court of Justice.

10. Any person claiming any vested interest affecting any endowment mentioned in any such statement, and alleging that the Commissioners have not duly recognised such vested interest, or any person or persons alleging that any property which the Commissioners have determined to be charity property within the meaning of this Act is not charity property, but that he or they is or are entitled to the same free from any charitable trust affecting the same, may within two months from the date of the publication of such statement apply to the High Court of Justice, by petition or summons at chambers, asking for a declaration that he has a vested interest affecting such endowment or that such property is not charity property (as the case may be). The Commissioners may appear upon any such proceedings, and the decision of the judge before whom such petition or summons is heard shall be final (unless special leave to appeal shall be by him given). The judge shall make a declaration in conformity with the justice of the case, and shall have power to order that the costs of the application shall be paid out of the endowment or property in question or by any party to the application as he may think right. Whenever necessary the Commissioners shall amend their statement so as to make it conform to the judge's declaration.

III.—*Schemes for better application of Charity Funds.*

Commissioners to frame schemes for charity property.

11. The Commissioners shall, as soon as may be after the publication of the statement or statements aforesaid, proceed to prepare a scheme or schemes for the future application and management of the charity property and endowments so classified by them as herein-before directed.

Provisions to be inserted in all schemes.

12. In every such scheme the Commissioners shall provide for the following objects; that is to say,

(*a.*) For the vesting in the official trustee of charity lands appointed under the Charitable Trusts Acts, 1853 to 1869, of all real property and chattels real belonging to the charity or charities dealt with in the scheme, and for the vesting in the official trustees of charitable funds appointed under the last-mentioned Acts of all personal property belonging to the charity or charities dealt with in the scheme, upon trust to hold the same real and personal property respectively as in the said Acts and herein-after provided, but subject to all quitrents, leases, tenancies, equities, reservations charges, and all other incumbrances and liabilities affecting the same:

(*b.*) For carrying over to a separate account a sum of money out of the charity property and endowments dealt with by the scheme to answer and provide for the expenses incurred by the Commissioners in carrying out this Act:

(*c.*) For saving the vested interest of or making due compensation to every person whom the Commissioners may have declared entitled to any vested interest which may be prejudiced by the scheme, and for making compensation to any person whom the Commissioners may have considered as aforesaid to have a fair or equitable claim to any emolument taken away by the scheme.

Provisions to be inserted in schemes relating to parishes in First Schedule.

13. In every scheme relating to the charity property or endowments belonging to or now applicable in the parishes enumerated in the First Schedule to this Act, the Commissioners shall, subject to the carrying over and to the provision for saving or making compensation herein-before contained, provide for the following objects; that is to say,

(*a.*) For the application of the property scheduled as ecclesiastical charity property, or any part of the income thereof, to the maintenance of the fabric and the services of the church, or to such other of the ecclesiastical purposes to which the same is now applied as are, in the opinion of the Commissioners, still beneficial to the inhabitants of each of the said parishes, or to any class thereof; and, subject thereto, to such other ecclesiastical purposes within the parish to which such property and endowments belong as the Commissioners may think most conducive to the spiritual benefit of the inhabitants of the said parish:

(*b.*) For the application of the property scheduled as general charity property (to such extent as the Commissioners may think desirable) to such of the objects and purposes to or for which the same is now applied as the Commissioners may consider proper and legal and substantially beneficial to the inhabitants of each of the said parishes, or to any class thereof; and, subject thereto, for the application of such property to any one or more of the following objects, either within the parish to which the property belongs or in which it is now applicable, or within any parish which was formerly united with or formed part of such parish, or in such manner as to secure to the inhabitants of such parish, and to persons employed in such parish though not resident therein, the benefit of such application; that is to say,

To the promotion and improvement of the education of the poorer inhabitants of such parish, and other persons as aforesaid, whether by means of exhibitions, or of technical instruction, or of secondary education, or of art education, or of evening lectures, or otherwise, as to the Commissioners may seem good;

To the establishment and maintenance of libraries under such provisions as may make them useful to such poorer inhabitants and other persons as aforesaid;

To the preserving, providing, and maintaining of open spaces and recreation grounds or drill grounds;

To the promotion and extension, in such manner as the Commissioners may think desirable, of provident institutions and of working men's and women's institutes for the

benefit of such poorer inhabitants and other persons as aforesaid;

And generally to the physical, moral, and social improvement of the poorer inhabitants and other persons as aforesaid of such parishes by such means as the Commissioners may think suitable.

Provisions to be inserted in schemes relating to parishes in Second Schedule.

14. In every scheme relating to the property or endowments belonging to or now applicable in the parishes enumerated in the Second Schedule to this Act, the Commissioners shall, subject to the carrying over and to the provision for saving or making compensation herein-before contained, provide for the following objects; that is to say,

(*a.*) For the application of the property, or any part of the income thereof, scheduled as ecclesiastical charity property, to the maintenance of the fabric and the services of the church, if any, in each parish possessed of ecclesiastical charity property applicable to such purposes or to such other of the ecclesiastical purposes to which the same is now applied as are, in the opinion of the Commissioners, still beneficial, and to the maintenance of the fabric and monuments of any churches within the City of London of architectural or historical interest which may not already possess sufficient funds available for that purpose; and, subject thereto, for payment to the Ecclesiastical Commissioners of the surplus income of the said ecclesiastical property, to be by them applied to the maintenance of the fabric of churches, or to the better endowment of existing benefices, or to giving theological instruction to persons preparing for holy orders, or generally to extending the benefit of clerical or spiritual ministrations in accordance with the doctrines or by the ministers of the Church of England as by law established in the more populous districts of the Metropolis:

(*b.*) For the administration and management of the property scheduled as general charity property by the New Governing Body herein-after constituted, except in cases where the Commissioners may provide as herein-after mentioned for the administration and management of any property by any existing body or bodies of trustees thereof:

(*c.*) For the application by the said New Governing Body, or by any such existing body or bodies of trustees as lastly herein-before mentioned in any such case or cases as last aforesaid, of such last-mentioned property (to such extent as the Commissioners may think desirable) to such of the objects or purposes to or for which the same are now applied as the Commissioners may think proper and legal and substantially beneficial to the inhabitants of the parish in which the same is now applicable, or to any class thereof, or in such manner as to secure to the inhabitants of the said parishes, and to persons employed though not resident therein, the benefit of any one or more of the applications in this section herein-after mentioned; and, subject thereto, for the application by the said New Governing Body of such property to any one or more of the following objects within the Metropolis in manner to be specified by the said scheme or schemes; that is to say,

To the promoting the education of the poorer inhabitants of the Metropolis, whether by means of exhibitions, or of technical instruction, or of secondary education, or of art education, or evening lectures, or otherwise, as to the Commissioners may seem good;

To the establishment and maintenance of libraries, or museums, or art collections within the Metropolis under such provisions as may make them useful to the poorer inhabitants thereof;

To the preserving, providing, and maintaining of open spaces and recreation grounds or drill grounds within the Metropolis;

To the promotion and extension, in such manner as the Commissioners may think desirable, of provident institutions and of working men's and women's institutes for the benefit of the poorer classes of the Metropolis;

To the establishment and maintenance, in such places as the Commissioners may think suitable, of convalescent hospitals for the benefit of the poorer classes of the Metropolis;

And generally to the improving, by the above or any other means which to the Commissioners may seem good, the physical, social, and moral condition of the poorer inhabitants of the Metropolis.

Schemes relating to parishes in First Schedule to this Act may provide for union of governing bodies.

15. In any scheme relating to the property or endowments belonging to or now applicable in the parishes enumerated in the First Schedule to this Act the Commissioners may, if they think fit, provide for the union of any existing governing bodies of two or more endowments into one new governing body for each of the said parishes, or for the creation of a new governing body or bodies in each such parish, and for the transfer to such new governing body or bodies (if created) of the control and management of the charity property and endowments belonging to or applicable in such parishes.

Schemes relating to parishes in Second Schedule may provide for payment of moneys to trustees of existing institutions.

16. In any scheme providing for the application of the property scheduled as general charity property now belonging to or applicable in the parishes mentioned in the Second Schedule to this Act, the Commissioners may, if they shall think fit, provide for the payment by the said New Governing Body of any capital or annual sum or sums of money to the trustees or managers of any institution now existing, or which may hereafter exist, for any of the charitable purposes to or for which such general charity property is hereby made applicable, to be applied by such trustees or managers to or for such purpose; and may, in the case of any scheme relating to an open space or recreation ground or drill ground, provide that any lands or hereditaments purchased in pursuance of such scheme shall be conveyed to and vested in the Metropolitan Board of Works or other proper local authority, and that any moneys to be paid for the maintenance of such space or ground shall be paid to the said Board or other local authority (as the case may be) in which the legal estate in such open space or ground may be vested.

Commissioners may create new bodies of trustees.

17. In any scheme relating to the general charity property now belonging to or applicable in the parishes mentioned in the said

Second Schedule, the Commissioners may (if they shall think fit) provide for the creation of a new body or bodies of trustees, either in a defined local area in the Metropolis or for any one or more of the charitable purposes to or for which such property is hereby made applicable, or in both of these ways, and may also provide for the payment to such new body or bodies of trustees by the said New Governing Body of such capital or annual sum or sums of money as the scheme may direct, to be applied by such new body or bodies of trustees in pursuance of the scheme. Where any such scheme provides for the creation of such a new body of trustees in or for any such defined local area, the Commissioners shall, so far as conveniently may be, provide for the representation on such new body of trustees of the inhabitants of such local area.

Commissioners may retain or modify existing bodies of trustees.

18. In framing any scheme relating to the general charity property now belonging to or applicable in the parishes mentioned in the said Second Schedule, the Commissioners shall consider and declare whether it is for the public advantage that any of the property or endowments belonging to the charity or charities dealt with by the scheme shall continue to be administered and managed by the body or bodies of trustees now administering and managing the same; and the Commissioners may in any such case provide that such property or endowments shall continue to be administered and managed by such body or bodies, and in any such case may alter the constitution of any such existing body or bodies of trustees, and, if they shall think fit, unite such bodies or body with any other body or bodies of trustees so as to create a new body or bodies of trustees for the administration, management, and application of such property and endowments in the said parishes, or any one or more of them, or for the application of such property and endowments, or any part of them, to any one or more of the objects to which such property and endowments may be applicable under the fourteenth section of this Act.

More schemes than one may be made, and other objects provided for.

19. The Commissioners shall not be bound to provide in any one scheme for all the objects aforesaid, but may make provision for such objects, or any one or more of them, by one or by more schemes in the manner they shall judge most convenient, nor shall anything herein be construed to prevent the Commissioners from providing in any such scheme or schemes for any other object which shall upon inquiry appear to them to be necessary or desirable for the purposes of this Act, nor from proposing in any scheme any such modifications and variations as to matters of detail and regulation as shall not be substantially repugnant to any of the provisions of this Act.

Scheme need not specify precise application of general charity property.

20. The Commissioners shall not be bound to specify in any scheme the precise objects to which or the manner in which the general charity property shall be applied by the New Governing Body, but they may (if they shall think fit) specify such objects or manner with such particularity as they may think necessary, and may (if they shall think fit) leave the details of such application to be subsequently settled by the New Governing Body in manner herein-after mentioned.

Saving for endowments less than fifty years old.

21. No scheme shall be so framed as to affect or shall affect any endowment or part of an endowment (as the case may be) originally

given to charitable uses less than fifty years before the commencement of this Act, unless the governing body of such endowment assent to the scheme.

Educational interests of girls to be regarded.

22. In making schemes for the application of charity property or endowments to educational purposes the Commissioners shall have as much regard to the educational interests of girls as of boys.

Saving for educational endowments under 32 & 33 Vict. c. 56. s. 5.

23. It shall not be obligatory upon the Commissioners to prepare a scheme under this Act for any endowment, or part of an endowment, which is an educational endowment as defined by section five of the Endowed Schools Act, 1869.

IV.—*Procedure for approving Schemes.*

Schemes to be printed and circulated.

24. When the Commissioners have prepared the draft of a scheme they shall cause it to be printed, and printed copies of it to be sent to the governing body of every endowment to which it relates, and to the vestry clerk of the parish in which such endowment is now applicable, and to the Remembrancer of the City of London, and shall also cause the draft, or a proper abstract of it, to be published and circulated in such manner as they think sufficient for giving information to all persons interested.

Commissioners to receive suggestions respecting schemes.

25. During two months after the first publication of the draft of a scheme, or any longer time which they may appoint, the Commissioners shall receive any objections or suggestions made to them in writing respecting such scheme, and shall duly consider the same.

Schemes to be reprinted and circulated anew.

26. After the expiration of the two months, or such longer time as to the Commissioners may seem proper, the Commissioners shall proceed to revise the scheme, and may, if they think fit, amend the same, and republish it and send copies of it as republished to the persons before mentioned, and shall submit the scheme for the approval of the Committee of Council on Education.

Approval of Committee of Council on Education to schemes.

27. The Committee of Council on Education, as soon as a scheme is submitted to them, shall, before approving the same, cause the scheme to be published and circulated in such manner as they think sufficient for giving information to all persons interested, together with a notice stating that during one month after the first publication of such notice the Committee of Council on Education will receive any objections or suggestions made to them in writing respecting such scheme. After the expiration of the said month the Committee of Council on Education may, if they think fit, approve the scheme or may remit the scheme, with such declaration as the nature of the case seems to them to require, to the Commissioners.

The Committee of Council on Education as soon as they approve a scheme shall forthwith cause the scheme so approved to be published and circulated in such manner as they think sufficient for giving information to all persons interested, together with a notice stating that unless within two months after the publication of the scheme when approved a petition is presented to the Committee of Council on Education, such scheme may be approved by Her Majesty without being laid before Parliament.

During the said two months a petition praying that the scheme may be laid before Parliament may be presented to the Committee

of Council on Education by the governing body of any endowment to which the scheme relates, or by not less than twenty inhabitant ratepayers of the parish in which the endowment is now applicable.

Petitions may be addressed to Her Majesty in Council in certain cases.

28. Any person conceiving himself aggrieved by any provision of a scheme, on the ground of its not making due compensation for any vested interest to which he has been declared entitled as aforesaid, may, within two months from the publication of such scheme when approved as aforesaid, petition Her Majesty in Council stating the grounds of the petition and praying Her Majesty to withhold her approval from the whole or any part of the scheme. Her Majesty may refer any such petition for the consideration and advice of three members at the least of Her Privy Council, of whom one shall be a member of the Judicial Committee, and such three members may, if they think fit, admit counsel to be heard in support of and against the petition, and shall have the same power with respect to the costs of all parties to the petition as the High Court of Justice would have if the petition were a proceeding therein for obtaining a scheme. Any petition not proceeded with in accordance with the regulations made with respect to petitions presented to the Judicial Committee of the Privy Council shall be deemed to be withdrawn.

It shall be lawful for Her Majesty by Order in Council to declare that no cause has been shown why she should withhold her approval from the said scheme or to remit it to the Commissioners with such declaration as the nature of the case may require.

Proceedings where scheme is remitted.

29. Where a scheme is remitted with a declaration the Commissioners may either proceed to prepare another scheme in the matter in the same manner as if no scheme had been previously prepared, or may submit for the approval of the Committee of Council on Education such amendments in the scheme as will bring it into conformity with the declaration.

The Committee may, if they think fit, approve the scheme with such amendments, and the same shall be published and circulated in the same manner and subject to the same right of petition to Her Majesty in Council as is before directed in the case of the approval of a scheme, and so on from time to time as often as occasion may require.

Laying of schemes before and approval of Her Majesty in Council.

30. If within the said two months from the publication of the scheme, when approved as aforesaid, no petition praying that the scheme be laid before Parliament has been presented in pursuance of this Act to the Committee of Council on Education, it shall be lawful for Her Majesty by Order in Council to declare her approbation of such scheme without the same being laid before Parliament.

If any petition praying that the scheme be laid before Parliament has been presented, but no petition to Her Majesty in Council is presented, then the scheme shall be laid before both Houses of Parliament after the expiration of the time for the presentation of a petition to Her Majesty in Council. If a petition is presented to Her Majesty in Council against the scheme, as well as a petition praying that the scheme be laid before Parliament, then the scheme shall be laid before Parliament after any later date at which the petition is withdrawn or Her Majesty in Council has declared as

aforesaid that no cause has been shown why she should withhold her approval from the scheme. If Parliament be then sitting the scheme shall be so laid before it forthwith. If Parliament be not then sitting, the scheme shall be so laid within three weeks after the beginning of the next ensuing session of Parliament; and if such scheme has lain before Parliament for not less than two months during the same session, then, unless an Address has been presented within such two months by one or other of the Houses of Parliament praying Her Majesty to withhold her consent from such scheme or any part thereof, it shall be lawful for Her Majesty by Order in Council to declare her approbation of such scheme or any part thereof to which such Address does not relate.

Exception as to schemes for endowments under 100*l.*

31. Where a scheme relates to an endowment or endowments which or each of which (as the case may be) during the three years preceding the commencement of this Act has had an average annual gross income of not more than one hundred pounds, no petition shall be presented to Her Majesty in Council with reference to such scheme so far as it relates to any such endowment or endowments. The statement of the Commissioners shall be conclusive evidence for the purpose of this section of the income of an endowment.

New scheme on non-approval of scheme.

32. If any scheme, or any part thereof, is not approved by Her Majesty, the Commissioners may thereupon proceed to prepare another scheme in the matter, and so on from time to time as often as occasion may require.

Amendment of schemes.

33. Schemes may be from time to time framed and approved for amending any scheme approved under this Act, and all the provisions of this Act relative to an original scheme shall apply also to an amending scheme, mutatis mutandis.

V.—*Supplemental Provisions.*

Schemes, when to take effect.

34. No scheme shall of itself have any operation, but the same, when and as approved by Her Majesty in Council, shall, from the date specified in the scheme, or if no date is specified then from the date of the Order in Council, have full operation and effect in the same manner as if it had been enacted in this Act.

Where a scheme shall have been so framed as to make it necessary that any further acts should be done in order to carry out the arrangements prescribed by such scheme, the Commissioners shall have power, immediately after the making of such Order in Council, to do and execute, or cause to be done and executed, all such acts and deeds, and all such conveyances and assurances in the law whatsoever, as may in their judgment be necessary for carrying out the provisions of the scheme approved by such order, and for securing the application of the property dealt with by such scheme to the purposes to which such scheme may direct it to be applied.

Effect of scheme.

35. Upon a scheme coming into operation every Act of Parliament, letters patent, statute, deed, instrument, trust, or direction relating to the subject matter of the scheme, and expressed by such scheme to be repealed and abrogated, shall, by virtue of the scheme, and of this Act, be repealed and abrogated from the date in that behalf specified, or if no date is specified, from the date of the scheme coming into operation, and all property purporting to be

transferred by such scheme shall, without any other conveyance or act in the law (so far as may be), vest in the transferees, and so far as it cannot be so vested shall be held in trust for the transferees.

Evidence of scheme.

36. The Order in Council approving a scheme shall be conclusive evidence that such scheme was within the scope of and made in conformity with this Act, and the validity of such scheme and order shall not be questioned in any legal proceedings whatever.

Quorum of Commissioners.

37. A scheme of the Commissioners shall not be submitted to the Committee of Council on Education unless it has been approved at a meeting of the Commissioners at which there are present not less than three Commissioners, but in all other respects one Commissioner may act under this Act.

Extension of 16 & 17 Vict. c. 137. s. 11. and 18 & 19 Vict. c. 124. ss. 6–9. to Assistant Commissioners.

38. Section eleven of the Charitable Trusts Act, 1853 (which relates to the production of documents by public officers), and sections six, seven, eight, and nine of the Charitable Trusts Act, 1855 (which relate to evidence and the attendance and examination of witnesses) shall extend to the Assistant Commissioners under this Act, as if they were the inspectors mentioned in those sections.

Commissioners to have power to direct sale of charity property and invest proceeds.

39. Whenever it shall appear to the Commissioners that any part of the charity property and endowments subject to the provisions of this Act, may with advantage be sold and realised, they may direct such property to be sold upon such terms and conditions and to such purchasers as they may think fit, and the trustee or trustees for the time being of such property shall effect such sale, which shall require no further sanction than the order of the Commissioners under their seal directing the same, and the proceeds of every such sale shall be paid to the official trustees of charitable funds and invested in their names in Government or parliamentary securities.

Temporary restriction of powers of Charity Commissioners, court, &c.

40. During the continuance of the power of making schemes under this Act, no court or judge shall, with respect to any charity property or endowment which can be dealt with by a scheme under this Act, make any scheme or appoint any new trustees without the consent of the Commissioners.

Persons acquiring interest after passing of Act to be subject to schemes.

41. Every interest, right, privilege, or preference, or increased interest, right, privilege, or preference, which any person may acquire after the passing of this Act in or relative to any charity or endowment which can be dealt with by a scheme under this Act, or in the governing body thereof, or as member of any such governing body, or in or relative to any office, place, employment, pension, compensation, allowance, or emolument in the gift of any such governing body, or paid out of the funds of any such charity or endowment, shall be subject to the provisions of any scheme made under this Act; and the governing body of any such charity or endowment shall not, during the continuance of the power of making schemes under this Act, begin to build, rebuild, alter, or enlarge any buildings connected therewith, except with the written consent of the Commissioners or under the directions of such a scheme; and no moneys arising from any such charity or endowment shall after the passing of this Act be applied to the payment of any poor rate or other rate or public charge whatsoever, or to the payment to any parish official of any

salary or remuneration, except so far as he may be entitled to receive the same in respect of duties actually performed in connexion with the services of the church, or of services actually rendered in or about the management of any parochial charity, or of duties actually performed in connexion with public worship in the church of the parish.

Service of notices.

42. Notices and documents required to be served on or sent to a governing body or vestry clerk for the purposes of this Act may be served or sent by being left at the office, if any, of such governing body or vestry clerk, or being served on or sent to the chairman, secretary, clerk, or other officer of such governing body, or if there is no office, chairman, secretary, clerk, or other officer, or none known to the Commissioners (after reasonable inquiry), by being publicly advertised in such newspapers as the Commissioners shall think fit, or by being served upon such person or persons and in such manner as the Commissioners shall in their discretion think best calculated to give proper notice to the persons concerned with the management of the endowment dealt with by the scheme.

Service by post.

43. Notices and documents required to be served or sent for the purposes of this Act may be served or sent by post, and shall be deemed to be served and received at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service or sending it shall be sufficient to prove that the letter containing the notices or documents was properly addressed and put into the post office.

Expenses of carrying out Act.

44. The salaries paid and expenses incurred in carrying into effect this Act shall in the first instance be defrayed out of moneys to be provided by Parliament, but shall be ultimately repaid to the Commissioners of Her Majesty's Treasury out of the sums carried over to a separate account as herein-before directed. The Commissioners shall determine, by orders under their seal, in what proportions such salaries and expenses are to fall upon the several sums so carried over under each scheme, having regard to the respective values of the endowments dealt with by such schemes respectively. If there shall be any surplus of the sums so carried over as aforesaid under each such scheme after making such repayment, such surplus shall form part of the endowments the application whereof is prescribed by each such scheme. If there shall be any deficiency, such deficiency shall be made up to the Commissioners of Her Majesty's Treasury by the New Governing Body herein-after constituted, out of the funds under their management and control.

Requisitions, &c. to be under seal.

45. All requisitions and directions made by the Commissioners under the authority of this Act shall be made by the order of the Commissioners under their seal.

Orders to be subject to Charitable Trusts Acts.

46. All orders made by the Commissioners shall be enforceable by the same means and be subject to the same provisions as orders of the Board of Charity Commissioners under the Charitable Trusts Acts, 1853 to 1869.

Commissioners to make annual report to be laid before Parliament.

47. The report of the Commissioners made under section sixty of the Charitable Trusts Act, 1853, shall describe the proceedings of the Commissioners under this Act during the year preceding the thirty-first day of December then last past, and there shall be annexed to such report copies of the schemes approved by Her

Majesty in Council under this Act during such year, and of any orders made by the Commissioners during such year under the forty-fourth section of this Act.

VI.—*New Governing Body.*

Establishment of New Governing Body for management of charity funds.

48. There shall be established a New Governing Body under this Act, which shall be called "The Trustees of the London Parochial Charities," and shall be a body corporate, with perpetual succession and a common seal. Such New Governing Body shall administer the property herein-before directed to be placed by schemes to be framed by the Commissioners under its administration and management, and shall consist of twenty-one persons, of whom five shall be nominated by the Crown, four by the Corporation of the City of London, and the remainder (four of whom shall, in the first instance, be chosen from among the persons who are now trustees of the Parochial Charities of the City of London) in such manner or by such persons or bodies as the Commissioners shall by scheme provide, regard being had by them to the interests of the various classes of the community who are or may hereafter be interested in the charity property to be administered by such New Governing Body.

Each member shall hold office for six years, but shall be re-eligible.

Every member who shall not have attended a meeting for the period of two years shall vacate his office, but shall be re-eligible.

Commissioners to make regulations for nomination of members of governing body, &c.

49. The Commissioners shall by a scheme make regulations prescribing the time and manner of the nominating or electing of the members of the New Governing Body and regarding the vacating of their office by a certain number of the first members thereof, so as to provide that some of them shall vacate their office at the end of two, others at the end of four, and the rest at the end of six years, and with respect to the filling up of vacancies arising from death or resignation, and generally with respect to the constitution of the New Governing Body, and the conduct by it of its business, and the making by it of regulations or byelaws, whether varying or merely subsidiary to the rules and regulations made by the Commissioners. The Commissioners shall also fix the date upon which the functions and powers of the New Governing Body shall commence.

Schemes to contain no preference for any religious denomination.

50. In all schemes framed under this Act affecting general charity property which is not expressly limited, by the deed of foundation, to spiritual purposes of any religious denomination no preference shall be shown to any person on account of membership of any church, nor shall conformity to any church be made the condition of enjoying any benefits, nor shall it be made a condition in appointing a master or mistress to any school founded or reformed under this Act, that he or she shall be a member of any church, nor shall endowments under this Act be attached to any institution, admission to which, or to the governing body of which, is limited to the members of any denomination.

Costs of Parliamentary proceedings to be determined

51. The Commissioners shall ascertain what costs, charges, and expenses have been reasonably incurred by the existing trustees of the City Parochial Charities, or any of them, in relation to this Act,

or the Bills of similar name in the sessions of 1881 and 1882, and shall direct the New Governing Body to pay to such trustees, or any two of them, to be chosen for that purpose by the Commissioners the amount of the costs, charges, and expenses so incurred as aforesaid out of the first moneys which shall come to their hands or be placed at the disposal of the said Governing Body. by Commissioners.

52. Nothing in this Act shall apply to any endowment or part of any endowment which, or the income whereof, is applicable, or is applied for the benefit of children maintained or educated by the Governors of Christ's Hospital, in the City of London, and presented thereto by any parochial authority in the City of London or otherwise. Saving for endowments at Christ's Hospital.

53. In this Act, unless the context otherwise requires— Interpretation of terms.

The term "Metropolis" means the places for the time being constituting the Metropolitan Police District, together with the City of London and the liberties thereof:

The term "governing body" means any body corporate, persons, or person, who hold or holds, or who have or has any power of control or management over, any charity property or endowment dealt with by this Act:

The term "endowment" means every description of property, real, personal, or mixed, which is dedicated to any such charitable uses as are referred to in this Act, in whomsoever such property may be vested and in whosesoever name it may be standing, and whether such property is in possession or reversion, or a thing in action:

The term "Committee of Council on Education" means the Lords of the Committee of Her Majesty's Privy Council on Education:

The term "person" includes any body of persons, whether corporate or unincorporate.

54. This Act, so far as is consistent with the tenor thereof, shall be construed together with the Charitable Trusts Acts, 1853 to 1869. Act to be construed together with Charitable Trusts Acts.

SCHEDULES.

The FIRST SCHEDULE.

Sections 13, 15.

Saint Andrew, Holborn.
Saint Botolph, Aldgate.
Saint Botolph, Bishopsgate.
Saint Bride, Fleet Street.
Saint Giles, Cripplegate.

The SECOND SCHEDULE.

Sections 14, 16, 17.

Allhallows, Barking.
Allhallows, Bread Street.
Allhallows the Great.
Allhallows the Less.
Allhallows, Honey-Lane.
Allhallows, Lombard Street.
Allhallows, London Wall.
Allhallows, Staining.
Christ Church, Newgate Street.
Saint Alban, Wood Street.
Saint Alphage, London Wall.
Saint Andrew by the Wardrobe.
Saint Andrew Hubbard.
Saint Andrew Undershaft.
Saint Anne and Saint Agnes.
Saint Anne, Blackfriars.
Saint Antholin.
Saint Augustine.
Saint Bartholomew the Great.
Saint Bartholomew the Less.

Saint Bartholomew, Exchange.
Saint Bartholomew, Moor Lane.
Saint Bene't, Fink.
Saint Bene't, Gracechurch.
Saint Bene't, Paul's Wharf.
Saint Bene't, Sherehog.
Saint Botolph, Aldersgate.
Saint Botolph, Billingsgate.
Saint Botolph, Glasshouse Yard.
Saint Christopher le Stocks.
Saint Clement, Eastcheap.
Saint Dionis, Backchurch.
Saint Dunstan in the East.
Saint Dunstan in the West.
Saint Edmund the King and Martyr.
Saint Ethelburga.
Saint Faith under Saint Paul's.
Saint Gabriel, Fenchurch.
Saint George, Botolph Lane.
Saint Gregory by Saint Paul.
Saint Helen, Bishopsgate.
Saint James, Garlickhythe.
Saint James within Aldgate.
Saint John the Baptist, upon Walbrook.
Saint John the Evangelist.
Saint John Zachary.
Saint Katherine Coleman.
Saint Katherine Cree.
Saint Lawrence, Jewry.
Saint Lawrence, Pountney.
Saint Leonard, East Cheap.
Saint Leonard, Foster Lane.
Saint Magnus the Martyr.
Saint Margaret Moyses.
Saint Margaret, Lothbury.
Saint Margaret, New Fish Street.
Saint Margaret Pattens.
Saint Martin, Ludgate.
Saint Martin, Orgars.
Saint Martin, Outwich.
Saint Martin, Pomeroy.
Saint Martin, Vintry.
Saint Mary, Abchurch.
Saint Mary, Aldermanbury.
Saint Mary, Aldermary.
Saint Mary-at-Hill.
Saint Mary, Bothaw.
Saint Mary, Colechurch.
Saint Mary-le-Bow.
Saint Mary Magdalen, Milk Street.
Saint Mary Magdalen, Old Fish Street.
Saint Mary, Mounthaw.
Saint Mary, Somerset.
Saint Mary, Staining.
Saint Mary, Woolchurch Haw.
Saint Mary, Woolnoth.
Saint Matthew, Friday Street.
Saint Michael, Basishaw.
Saint Michael, Cornhill.
Saint Michael, Crooked Lane.
Saint Michael-le-Querne.
Saint Michael, Paternoster Royal.
Saint Michael, Queenhithe.
Saint Michael, Wood Street.
Saint Mildred, Bread Street.
Saint Mildred the Virgin, Poultry.
Saint Nicholas, Acons.
Saint Nicholas, Coleabbey.
Saint Nicholas, Olave.
Saint Olave, Hart Street, with Saint Nicholas in the Shambles.
Saint Olave, Old Jewry.
Saint Olave, Silver Street.
Saint Pancras, Soper Lane.
Saint Peter, Cornhill.
Saint Peter-le-Poer.
Saint Peter, Paul's Wharf.
Saint Peter, West Cheap.
Saint Sepulchre.
Saint Stephen, Coleman Street.
Saint Stephen, Walbrook.
Saint Swithin, London Stone.
Saint Thomas Apostle.
Saint Thomas in the Rolls.
Saint Vedast, Foster.
Holy Trinity the Less.
Holy Trinity, Minories.
Holy Trinity, Gough Square.

CHAPTER 37.

An Act to amend the Public Health Act, 1875, and to make provision with respect to the support of public sewers and sewage works in mining districts.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as the Public Health Act, 1875, (Support of Sewers,) Amendment Act, 1883, and shall be construed as one with the Public Health Act, 1875, (in this Act called the Principal Act,) as amended by the Acts for the time being in force amending the same.

Interpretation.

2. In this Act,—

The expression "sanitary work" means any existing or future building or work constructed by or vested in or under the control of a local authority under the powers or for the purposes of so much of the Principal Act or of any General or Local Act or Provisional Order as relates to the construction or maintenance of any works of sewerage, drainage, sewage disposal, lighting, or water supply, and includes any fixtures, pipes, fittings, or apparatus connected with any such work, and belonging to or used by the local authority:

The expression "support" includes vertical and lateral support:

The expression "Sanitary Act" means the Act or Provisional Order under the authority of which a sanitary work has been or is constructed or is maintained, whether such Act or Order was passed and confirmed before or after the commencement of this Act:

The expression "person" includes a body corporate.

Application of provisions of the Waterworks Clauses Act, 1847, 10 & 11 Vict. c. 17, with respect to mines, to sanitary works over mines.

3. The provisions of the Waterworks Clauses Act, 1847, sections eighteen to twenty-seven (both inclusive), with respect to mines, shall, in relation to any sanitary work of a local authority, be deemed to be incorporated with this Act and with the Sanitary Act under the authority of which such sanitary work has been or is constructed or is maintained, with the following modifications (that is to say):—

(1.) For the purposes of such incorporation the said provisions of the Waterworks Clauses Act, 1847, shall be construed as if the expression "the undertakers" referred to the local authority, and as if the expression "the Special Act" referred to such Sanitary Act and this Act, and as if expressions relating to pipes, conduits, or other works referred to the sanitary work:

(2.) The local authority, by or with any notice under the Waterworks Clauses Act, 1847, of willingness to treat for or make compensation, or of intention to prevent or interfere with the working of any mines, may specify and define the nature and extent of support which they require to be left, and any such notice may extend to minerals beyond the distance of forty yards mentioned in the said Act or to such less distance as the local authority think fit:

(3.) As regards sanitary works existing at the passing of this Act the local authority shall cause the survey and map referred to in section nineteen of the Waterworks Clauses Act, 1847, to be made within twelve months after the passing of this Act:

(4.) The amount of any compensation in respect of support for a sanitary work payable by a local authority under the provisions of the Waterworks Clauses Act, 1847, as incorporated with this Act or the Sanitary Act, together with the costs of and incident to settling the same by arbitration or otherwise, shall be paid, charged, and borne in the same manner, and subject to the

same powers and provisions as to borrowing and otherwise, as is provided with respect to the expenses of the construction or maintenance of the sanitary work by the Sanitary Act:

(5.) A local authority may from time to time make agreements with the owners, lessees, or occupiers of or the persons working any mine for compromising any claim made or to be made in respect of anything done or omitted before the passing of this Act in relation to the matters in this Act mentioned or otherwise for carrying into effect the purposes of this Act in relation to the past or future working of mines.

The provisions of this Act shall apply to every sanitary work as defined in this Act, whether the land on, in, over, or under which such work is situate is or is not vested in or occupied by the local authority, and is or is not wholly or partially dedicated to the public as a street, highway, or public place.

Limitation of right to support for sanitary works over mines.

4. Except as in this Act provided, a local authority shall not by reason only of anything contained in the Sanitary Act under the authority of which a sanitary work has been or is constructed or maintained be deemed to have acquired or to be entitled to or to be bound to acquire or make compensation for any right of support for such sanitary work as against any person owning or working or being lessee or occupier of or entitled to work or otherwise interested in any mine; and nothing in such Sanitary Act shall be deemed to have subjected or to subject any such person to any liability to the local authority in respect of damage to a sanitary work caused in or consequent upon the working of any mines in a reasonable and proper manner.

Savings.

5. Nothing in this Act shall be construed to repeal, invalidate, or affect any express enactment in a Sanitary or other Act with respect to rights of support for sanitary works, or any agreement made before the passing of this Act with respect to such rights, or to affect any action, arbitration, or other legal proceedings concluded before or pending at the passing of this Act.

Where any right of support has been acquired before the passing of this Act by a local authority in respect of any sanitary work, and no compensation is at the passing of this Act recoverable in respect of such right, nothing in this Act shall be construed to apply to the work in respect of which such right has been acquired, or operate to deprive the local authority of such right or to entitle any person to any compensation in respect thereof, to which such person would not have been entitled if this Act had not been passed.

CHAPTER 38.

An Act to amend the Law respecting the Trial and Custody of Insane Persons charged with offences.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Trial of Lunatics Act, 1883. Short title.

2. (1.) Where in any indictment or information any act or omission is charged against any person as an offence, and it is given in evidence on the trial of such person for that offence that he was insane, so as not to be responsible, according to law, for his actions at the time when the act was done or omission made, then, if it appears to the jury before whom such person is tried that he did the act or made the omission charged, but was insane as aforesaid at the time when he did or made the same, the jury shall return a special verdict to the effect that the accused was guilty of the act or omission charged against him, but was insane as aforesaid at the time when he did the act or made the omission. Special verdict where accused found guilty, but insane at date of act or omission charged, and orders thereupon.

(2.) Where such special verdict is found, the Court shall order the accused to be kept in custody as a criminal lunatic, in such place and in such manner as the Court shall direct till Her Majesty's pleasure shall be known; and it shall be lawful for Her Majesty thereupon, and from time to time, to give such order for the safe custody of the said person during pleasure, in such place and in such manner as to Her Majesty may seem fit.

(3.) In all such cases any two justices of the peace of the county, city, or place where such person shall have been tried, or shall be kept in custody, shall have the like power as is given by the Act of the third and fourth years of Her present Majesty, chapter fifty-four, in the cases therein mentioned, to inquire into and ascertain the last legal settlement of such person, and also to make the like order or orders for the payment of such person's maintenance and other charges as therein mentioned.

(4.) All provisions in any existing Act or in any rules or orders made in pursuance of any existing Act, having reference to a person or persons acquitted on the ground of insanity, shall apply to a person or persons in respect of whom a special verdict is found under this Act.

3. (1.) This Act shall extend to Ireland with the following modifications, that is to say, the words "the Lord Lieutenant" shall be substituted for "Her Majesty," and the words "the pleasure "of the Lord Lieutenant" for "Her Majesty's pleasure." Extent of Act.

(2.) This Act shall not extend to Scotland.

4. (1.) The enactments mentioned in the schedule to this Act are hereby repealed to the extent mentioned in the third column thereof, but this repeal shall not affect any order made or thing done in pursuance of any enactment so repealed: and any such order may be carried into effect, revoked, or varied, as if made under this Act. Repeal.

(2.) Any unrepealed enactment referring to any enactment hereby repealed, shall be construed to apply to the corresponding provisions of this Act.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
39 & 40 Geo. 3. c. 94.	An Act for the safe custody of insane persons charged with offences.	Section one.
1 & 2 Geo. 4. c. 33. -	An Act to make more effectual provision for the establishment of asylums for the lunatic poor, and for the custody of insane persons charged with offences in Ireland.	Section sixteen.
3 & 4 Vict. c. 54. -	An Act for making further provision for the confinement and maintenance of insane prisoners.	Section three.

CHAPTER 39.

An Act for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary.

[25th August 1883.]

WHEREAS, with a view to the revision of the Statute Law, and particularly to the continuation of the Revised Edition of the Statutes, it is expedient that certain enactments (mentioned in the schedule to this Act) which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal by Parliament, or have, by lapse of time or otherwise, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications in the schedule mentioned:

Saving.

Provided that where any enactment not comprised in the schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act:

and the repeal by this Act of any enactment or schedule shall not affect any enactment in which such enactment or schedule has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon, or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing

status or capacity,—or any right, title, obligation, or liability already acquired, accrued, or incurred, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, obligation, liability, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, emolument, or benefit, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, procedure, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's Dominions out of the United Kingdom, except where otherwise expressed in the said schedule.

2. This Act may be cited as the Statute Law Revision Act, 1883. Short title.

SCHEDULE.

A description or citation of a portion of an Act is inclusive of the words, section, or other part, first or last mentioned, or otherwise referred to as forming the beginning, or as forming the end, of the portion comprised in the description or citation.

VICTORIA.

32 & 33 Vict. c. 1.	An Act to apply certain Sums out of the Consolidated Fund to the Service of the years ending the Thirty-first Day of March, One thousand eight hundred and sixty-eight, One thousand eight hundred and sixty-nine, and One thousand eight hundred and seventy.
c. 4.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.
c. 5.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore.
c. 6.	An Act to repeal so much of the Regulation of Railways Act, 1868, as relates to the approval by Meetings of incorporated Railway Companies of Bills and Certificates for conferring further powers on those Companies.
c. 8.	An Act to apply the Sum of Seventeen million one hundred thousand Pounds out of the Consolidated Fund to the Service of the Year ending the thirty-first day of March, One thousand eight hundred and seventy.
c. 10. in part.	An Act for authorising the Removal of Prisoners from One Colony to another for the purposes of Punishment - - } in part; namely,— Sections Three and Eight. Repealed as to all Her Majesty's Dominions.

32 & 33 Vict.—*cont.*		
c. 11. in part.	An Act for amending the Law relating to the Coasting Trade and Merchant Shipping in British Possessions - -	in part; namely,—
	Section Five.	
	Repealed as to all Her Majesty's Dominions.	
c. 14. in part.	An Act to grant certain Duties of Customs and Inland Revenue and to repeal and alter other Duties of Customs and Inland Revenue - - - - -	in part; namely,—
	Sections One to Fourteen, Sixteen, Seventeen, and Thirty-four to Thirty-nine.	
	Schedules (A.) to (E.).	
c. 15. in part.	An Act to remove Doubts as to the Qualification of Persons holding Civil Service Pensions, or receiving Superannuation Allowances, to sit in Parliament - -	in part; namely,—
	Section Two from "or of" to end of that section.	
c. 16.	An Act to amend so much of the Act of the Session of the Sixth and Seventh Years of the Reign of Her present Majesty, chapter Thirty-five, as provides that Norfolk Island is to be part of the Diocese of Tasmania.	
	Repealed as to all Her Majesty's Dominions.	
c. 18. in part.	An Act to amend the Lands Clauses Consolidation Act - - - -	in part; namely,—
	Section Two.	
c. 19. in part.	An Act for amending the Law relating to Mining Partnerships within the Stannaries of Devon and Cornwall, and to the Court of the Vice-Warden of the Stannaries -	in part; namely,—
	Section Thirty-nine to "be it enacted, that".	
c. 20.	An Act to remove Doubts as to the Validity of certain Statutes made by the Convocation of the University of Oxford.	
c. 22.	An Act for raising the Sum of Two million three hundred thousand Pounds by Exchequer Bonds for the Service of the Year ending on the Thirty-first day of March, One thousand eight hundred and seventy.	
c. 24. in part.	An Act to repeal certain Enactments relating to Newspapers, Pamphlets, and other Publications, and to Printers, Typefounders, and Reading Rooms - - -	in part; namely,—
	Section One from "and this" to end of that section.	
c. 27. in part.	An Act to amend the Law for licensing Beer-houses, and to make certain Alterations with respect to the Sale by retail of Beer, Cider, and Wine - - - -	in part; namely,—
	Sections Ten and Twenty-one.	
	The Second Schedule.	
c. 29.	An Act to render valid certain Title Deeds for Inam Lands.	
	Repealed as to all Her Majesty's Dominions.	
c. 33. in part.	An Act to provide for the Collection of Judicial Statistics in Scotland - -	in part; namely,—
	Section Six.	
c. 34. in part.	An Act to amend the Law concerning the Appointment of Deputies by Stipendiary Magistrates - - -	in part; namely,—
	Section One.	

32 & 33 Vict.—*cont.*		
c. 37.	An Act to authorise the Appointment of District Prothonotaries of the Court of Common Pleas of the County Palatine of Lancaster, and to provide for the better Despatch of Business therein.	
c. 39.	An Act to make provision for the better Government and Administration of Hospitals and other endowed Institutions in Scotland.	
c. 41. in part.	An Act for amending the Law with respect to the Rating of Occupiers for short terms, and the making and collecting of the Poor's Rate Section Sixteen from "and the twelfth" to the end of that section.	in part; namely,—
c. 43. in part.	An Act to provide for the Payment of Diplomatic Salaries, Allowances, and Pensions Section Four, the first paragraph.	in part; namely,—
c. 44. in part.	An Act to make better Provision respecting Greenwich Hospital, and the Application of the Revenues thereof Sections Two, Ten, and Twelve. The Schedule.	in part; namely,—
c. 45. in part.	An Act to amend the Law relating to the Repayment of Loans to Poor Law Unions Section Six to "thenceforth" and from "(*Seal of the Poor Law Board*)" to "eight hundred and".	in part; namely,—
c. 47. in part.	An Act to provide for the Discharge of the Duties heretofore performed by High Constables, and for the Abolition of such Office, with certain exceptions Section Six.	in part; namely,—
c. 53. in part.	An Act to amend the Cinque Ports Act Sections Two, Three, and Five.	in part; namely,—
c. 54. in part.	An Act to amend the Act of the first and second years of Victoria, chapter Fifty-six, intituled "An Act for the more effectual Relief of the destitute Poor in Ireland" Section One from "or if" to "prosecuted". Sections Two and Four.	in part; namely,—
c. 58. in part.	An Act for amending the Public Schools Act, 1868 The Preamble. Section One.	in part; namely,—
c. 59. in part.	An Act to amend the Laws relating to the Investments for Saving Banks and Post Office Savings Banks Section Two from "from time" to "such annuities". Sections Three and Eight. The Schedules.	in part; namely,—
c. 62. in part.	An Act for the Abolition of Imprisonment for Debt, for the Punishment of Fraudulent Debtors, and for other purposes Section Seven.	in part; namely,—
c. 63. in part.	An Act to amend the Metropolitan Poor Act, 1867 Section One from "and so much" to "repealed;". Section Five from "and the seventeenth" to end of that section. Section Eight from "but this" to end of that section. Section Nine to "repealed, and". Sections Ten and Twenty.	in part; namely,—

32 & 33 Vict.—*cont.* c. 65.	An Act for appointing Commissioners to Inquire into the Existence of Corrupt Practices amongst the Freemen Electors of the City of Dublin.
c. 67. in part.	An Act to provide for Uniformity in the Assessment of Rateable Property in the Metropolis - - - - } in part; namely,— Section Seventy-seven to "to this Act and", the word "other" (where it next occurs), the proviso, and the Fifth Schedule except as to the repeal of so much of any Act as applies the provisions thereby repealed of 25 & 26 Vict. c. 102.
c. 68. in part.	An Act for the further Amendment of the Law of Evidence - - - - } in part; namely,— Section One.
c. 71. in part.	An Act to Consolidate and Amend the Law of Bankruptcy - - - - } in part; namely,— Section Sixty-one, the second paragraph. Section Sixty-eight from "whether the same" to "appropriated and". Section One hundred and twenty-eight. Section One hundred and twenty-nine from "The Lord Chancellor may by order make" to "made by the Lord Chancellor." Section One hundred and thirty, the first paragraph. Section One hundred and thirty-two.
c. 78. in part.	An Act to amend the Law relating to Criminal Lunatics - - - - - } in part; namely,— Section Two from "and all orders" to "valid accordingly;".
c. 82. in part.	An Act to amend the Metropolitan Building Act, 1855 - - - - } in part; namely,— Section Six. The Schedule.
c. 83. in part.	An Act to provide for the Winding-up of the Business of the late Court for the Relief of Insolvent Debtors in England, and to repeal Enactments relating to Insolvency, Bankruptcy, Imprisonment for Debt, and matters connected therewith - - } in part; namely,— Sections Eleven and Twenty. The Schedule.
c. 85.	An Act to continue various Expiring Laws.
c. 90. in part.	An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads - } :— Except Sections Seven and Eight.
c. 91. in part.	An Act for amending the Law relating to the Salaries, Expenses, and Funds of Courts of Law in England - - - } in part; namely,— Section Eight, from "and all moneys" to end of that section. Section Nine. Section Twelve, so far as it relates to the Fourth Schedule. Section Thirty to "said governor and company." Section Thirty-one from "and such accounts" to end of that section. Section Thirty-three from "and for enforcing" to "under this Act,". Section Thirty-four.

32 & 33 Vict. c. 91. in part—*cont.*	The Third Schedule, Part I. the words "Lords Justices of Appeal," and Part II. the words "gentleman of the chamber, purse bearer", and "and messenger to Great Seal".	
	The Fourth Schedule, Part I.	
	The Fifth Schedule.	
c. 92. in part.	An Act to amend the Laws relating to the Fisheries of Ireland - - - -	in part; namely,—
	Schedule A. so far as it relates to 9 & 10 Vict. c. 114.	
	Schedule B. so far as it relates to 10 & 11 Vict. c. 75.	
c. 93.	An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the service of the year ending the Thirty-first day of March One thousand eight hundred and seventy, and to appropriate the Supplies granted in this Session of Parliament.	
c. 96. in part.	An Act to amend the Contagious Diseases Act, 1866 - - - -	in part; namely,—
	Section Four from "provided that all" to end of that section.	
	Section Twelve.	
c. 97. in part.	An Act to amend in certain respects the Act for the better Government of India -	in part; namely,—
	Section Five.	
	Section Eight from "which" to "meeting".	
c. 98. in part.	An Act to define the Powers of the Governor General of India in Council at Meetings for making Laws and Regulations for certain Purposes - - - -	in part; namely,—
	Section Two.	
	Repealed as to all Her Majesty's Dominions.	
c. 100. in part.	An Act to facilitate the borrowing Money in certain Cases for the purpose of the Sanitary Act, 1866, and the Acts amending the same; and for other purposes -	in part; namely,—
	Section Three, so far as it relates to a sewer authority and a local board.	
	Section Nine, the words and figures "the Local Government Act, 1858" (where they first occur) and "the Sewage Utilization Acts, 1865, 1867".	
	Repealed except as to the parish of Woolwich.	
c. 102. in part.	An Act for making further provision respecting the borrowing of Money by the Metropolitan Board of Works, and for other purposes connected therewith -	in part; namely,—
	Section Twelve.	
	Section Sixteen, paragraph (5).	
	Section Eighteen.	
	Section Forty-six, paragraph (7).	
	Section Fifty.	
	The Third Schedule.	
c. 103. in part.	An Act to amend the Law relating to the Warehousing of Wines and Spirits in Customs and Excise Warehouses, and for other purposes relating to Customs and Inland Revenue - - - - -	in part; namely,—
	Sections Two to Six.	
	Section Seven, the words "customs or" (wherever they occur) from "*For Goods*" to "goods - - 0 5 0" and from "according" to end of that section.	
	Sections Eight to Sixteen.	

32 & 33 Vict.—*cont.* c. 108.	An Act to amend "The Sanitary Act, 1866," so far as the same relates to Ireland.	
c. 109. in part.	*An Act the title of which begins with the words,*—An Act for repealing part of an Act of the first year of the Reign of their Majesties King William and Queen Mary, —*and ends with the words,*—benefices, and to the Penalties and Forfeitures consequent on non-residence - - - Section One	in part; namely,—
c. 110. in part.	An Act for amending the Charitable Trusts Acts - - - - - Section Sixteen from "and may direct" to "appropriated". Section Seventeen. The Schedule.	in part; namely,—
c. 111. in part.	An Act for the Relief of Archbishops and Bishops when incapacitated by infirmity - Section Two, subsection (1), the proviso. Section Fifteen.	in part; namely,—
c. 112. in part.	An Act to prevent the Adulteration of Seeds - Section Six from "and a warrant" to end of that section.	in part; namely,—
c. 114. in part.	An Act to amend the Law relating to the Abandonment of Railways and the Dissolution of Railway Companies - - Section Ten.	in part; namely,—
c. 116. in part.	An Act to amend "The Titles to Land Consolidation (Scotland) Act, 1868" - Section Two to "enacted that". Section Three to "enacted that". Section Five to "enacted that". Section Six to "enacted that". Section Seven to "enacted that". Section Eight to "enacted that". Section Nine to "enacted that".	in part; namely,—
c. 117. in part.	An Act to amend "The Pharmacy Act, 1868" - Sections Two and Four. Schedule (A.).	in part; namely,—
33 & 34 Vict. c. 3. in part.	An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto - - - Section Four. Repealed as to all Her Majesty's Dominions.	in part; namely,—
c. 5.	An Act to apply certain Sums out of the Consolidated Fund to the service of the years ending on the Thirty-first day of March One thousand eight hundred and sixty-nine, One thousand eight hundred and seventy, and One thousand eight hundred and seventy-one, and preceding years.	
c. 7.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.	
c. 8.	An Act for the regulation of Her Majesty's Royal Marine Forces while on Shore.	
c. 9.	An Act to amend "The Peace Preservation (Ireland) Act, 1856," and for other purposes relating to the Preservation of Peace in Ireland.	

33 & 34 Vict.—*cont.*		
c. 13. in part.	An Act to amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man - - - -	in part; namely,—
	Section Four.	
	Section Five from "(except" to "perpetual)"	
	The Schedule.	
c. 14. in part.	An Act to amend the Law relating to the legal condition of Aliens and British Subjects - - - - -	in part; namely,—
	Section Eighteen.	
	The Schedule.	
c. 15. in part.	An Act to transfer to the Commissioners of Her Majesty's Works and Public Buildings the property in and control over the Buildings and Property of the County Courts in England, and for other purposes relating thereto - - - -	in part; namely,—
	Section Five.	
	The Schedule.	
c. 16. in part.	An Act to define the Boundary between the Counties of Inverness and Elgin or Moray, in the District of Strathspey; and for other purposes - - -	in part; namely,—
	Sections Eleven, Twelve, Fifteen, and Sixteen.	
c. 19. in part.	An Act to amend "The Railway Companies Powers Act, 1864," and "The Railway Construction Facilities Act, 1864" -	in part; namely,—
	Section Two.	
	Section Four, the third paragraph.	
	Section Five to "repealed, and".	
c. 20. in part.	An Act to amend "The Mortgage Debenture Act, 1865" - - - -	in part; namely,—
	Section Three.	
c. 23. in part.	An Act to abolish Forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto - - -	in part; namely,—
	Section Thirty-one.	
c. 24. in part.	An Act for making further provision respecting the borrowing of Money by the Metropolitan Board of Works - - -	in part; namely,—
	Section Two.	
c. 27. in part.	An Act for the Protection of Inventions exhibited at International Exhibitions in the United Kingdom - - -	in part; namely,—
	Section Four from "the Workmen's" to "fifty-one; also".	
c. 29. in part.	An Act to amend and continue "The Wine and Beerhouse Act, 1869" - -	in part; namely,—
	Section Four, subsection (5.) to "repealed, and".	
	Section Sixteen.	
c. 31.	An Act to apply the sum of Nine million pounds out of the Consolidated Fund to the service of the year ending the Thirty-first day of March, One thousand eight hundred and seventy-one.	
c. 32. in part.	An Act to grant certain Duties of Customs and Inland Revenue, and to repeal and alter other Duties of Customs and Inland Revenue - - - -	:—
	Except Sections One, Four, and Five.	

33 & 34 Vict.—*cont.*

c. 41. An Act for raising the sum of One million three hundred thousand pounds by Exchequer Bonds for the service of the year ending on the Thirty-first day of March One thousand eight hundred and seventy-one.

c. 44. An Act to declare the Stamp Duty chargeable on certain Leases.

c. 45. An Act for establishing a District Registrar of the High Court of Admiralty in England at Liverpool.

c. 46. in part. An Act to amend the Law relating to the Occupation and Ownership of Land in Ireland - - - - - } in part; namely,—
Section Thirty-one.
Section Sixty-seven from "or under" to end of that section.

c. 50. An Act to amend "The Shipping Dues Exemption Act, 1867."

c. 51. An Act to repeal an Act intituled "An Act to alter the mode of giving Notices for the holding of Vestries, of making Proclamation in cases of Outlawry, and of giving Notices on Sundays in respect to various matters," so far as such Act relates to the Isle of Man.

c. 52. in part. An Act for amending the Law relating to the Extradition of Criminals - - - } in part; namely,—
Section Twenty-seven, the last paragraph.
Repealed as to all Her Majesty's Dominions.

c. 53. in part. An Act to amend certain provisions in the Sanitary and Sewage Utilization Acts - } in part; namely,—
Sections Three and Four.
Repealed except as to the parish of Woolwich.

c. 59. in part. An Act to render valid certain Contracts informally executed in India - - } in part; namely,—
Section One.
Repealed as to all Her Majesty's Dominions.

c. 60. in part. An Act to relieve the Brokers of the City of London from the supervision of the Court of Mayor and Aldermen of the said City - - - - - } in part; namely,—
Sections Three and Four.

c. 61. in part. An Act to amend the Law relating to Life Assurance Companies - - - } in part; namely,—
Section Eight from "on or before" to "thereafter", from "whether such" to "to the passing of this Act" and subsection (1).

c. 65. in part. An Act to amend the Law relating to Advertisements respecting Stolen Goods - } in part; namely,—
Section Four.

c. 71. in part. An Act for consolidating, with Amendments, certain Enactments relating to the National Debt - - - - } in part; namely,—
Section Twenty, the last paragraph.
The Second Schedule, Part II.

c. 73. in part. An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads - - } :—
Except Sections Ten to Fourteen.

c. 77. in part. An Act to amend the Laws relating to the Qualifications, Summoning, Attendance, and Remuneration of Special and Common Juries - - - - - } in part; namely,—
Section Seven to "enacted, that".

33 & 34 Vict.—*cont.*	
c. 79. in part.	An Act for further Regulation of Duties of Postage, and for other purposes relating to the Post Office - - - - } in part; namely,— Sections Four, Five, and Nine. Section Ten so far as it relates to 3 & 4 Vict. c. 96. s. 17. Sections Twelve, Thirteen, and Sixteen. Section Eighteen, the last paragraph. The First Schedule except so far as it describes the Acts firstly, secondly, and lastly therein mentioned.
c. 80.	An Act for taking the Census of Ireland.
c. 83. in part.	An Act to make better Provision for the Police Force in the City of Londonderry, and to amend the Acts relating to the Royal Irish Constabulary Force - - } in part; namely,— Section One from "and all persons" to "accordingly". Sections Seven, Eight, and Ten. Section Eleven to "repealed, and". Section Twelve.
c. 84.	An Act to amend the Public Schools Act, 1868.
c. 86. in part.	*An Act the title of which begins with the words*,—An Act to amend and extend the Act Sixteenth and Seventeenth Victoria, Chapter Ninety-two,—*and ends with the words*,—Sheriffs and Sheriffs Substitute in Scotland - - - - } in part; namely,— Section Eleven from "to be paid" to end of that section. Section Thirteen from "and so much" to "repealed but".
c. 90. in part.	An Act to regulate the Conduct of Her Majesty's Subjects during the existence of Hostilities between Foreign States with which Her Majesty is at peace - - } in part; namely,— Section Thirty-one. Repealed as to all Her Majesty's Dominions.
c. 96. in part.	An Act to apply a Sum out of the Consolidated Fund to the service of the year ending the Thirty-first day of March One thousand eight hundred and seventy-one, and to appropriate the supplies granted in this Session of Parliament - - - - - - - } :— Except Sections Six and Eight.
c. 97. in part.	An Act for granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending provisions relating thereto - } in part; namely,— Sections Thirty-three to Thirty-five and Thirty-seven. The Schedule in part, namely:— The subjects of the headings beginning as follows (with the duties specified in connexion therewith):— Admission to ecclesiastical benefices. Admission and Appointment. Appointment whether by way of Donation Appointments to offices Collation Commission or Deputation Curacy Deputation by the Commissioners Donation Ecclesiastical Benefice

33 & 34 Vict. c. 97. in part.—*cont.*	INSTITUTION PERPETUAL CURACY PRESENTATION the words "under the authority of any Act of Parliament" in Exemption (7) under heading beginning "BILL OF EXCHANGE of any other kind." and paragraph (1) under heading beginning LETTER OR POWER OF ATTORNEY.
c. 98. in part.	An Act for consolidating and amending the Law relating to the Management of Stamp Duties - - - - - in part; namely,— Section Fourteen, sub-section (5.), paragraph (*a*).
c. 103.	An Act to continue various expiring Laws.
c. 105.	An Act for appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such System, and for giving such Commission the powers necessary for conducting such Inquiry.
c. 107.	An Act for taking the Census of England.
c. 108.	An Act for taking the Census in Scotland.
c. 109. in part.	An Act to abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes - - - - - in part; namely,— Section Four, the last paragraph.
c. 110. in part.	An Act to provide for the administration of the Law relating to Matrimonial Causes and Matters, and to amend the Law relating to Marriages, in Ireland - - in part; namely,— Sections Five, Nineteen, Twenty, and Twenty-two. Section Thirty-nine to "void; but".
c. 111. in part.	An Act to make provision in relation to certain Beerhouses not duly qualified according to Law - - - in part; namely,— Section One so far as it relates to the fifteenth section of 3 & 4 Vict. c. 61. and the closing hour.
c. 112. in part.	*An Act the title of which begins with the words*,—An Act to amend the Act of the first and second years of the Reign of His late Majesty King William the Fourth, —*and ends with the words*,—Lands for Glebes, in Ireland - - - in part; namely,— Section Three, from "out of" to "annexed mentioned." Section Six from "and all the provisions" to end of that section. Section Nine. The Schedule. Provided that the repeal of the Schedule shall not affect the reference thereto in 34 & 35 Vict. c. 100. s. 11.
34 & 35 Vict. c. 3. in part.	An Act to empower Committees on Bills confirming or giving effect to Provisional Orders to award Costs, and examine Witnesses on Oath - - - - in part; namely,— Section One.
c. 5.	An Act to make provision for the Assessment of Income Tax.

34 & 35 Vict.—*cont.*

c. 6.	An Act to apply the Sum of Four hundred and sixty-two thousand five hundred and eighty pounds nine shillings and eleven pence out of the Consolidated Fund to the Service of the Years ending the Thirty-first day of March One thousand eight hundred and seventy and One thousand eight hundred and seventy-one.
c. 7.	An Act to apply the Sum of Five million four hundred and eleven thousand nine hundred pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-two.
c. 9.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 10.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore.
c. 18. in part.	An Act to amend the Law disqualifying Attorneys, Solicitors, and Proctors in practice from being Justices of the Peace for Counties - - - - } in part; namely,— Section One to "repealed; but".
c. 20.	An Act to apply the Sum of Seven million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-two.
c. 21.	An Act to grant Duties of Customs and Income Tax.
c. 22. in part.	*An Act the title of which begins with the words,*—An Act to amend the Law in Ireland relating to Commissions of Lunacy, *—and ends with the words,*—and for other purposes - - - - } in part; namely,— Section Five from "and every person who is by" to end of that section. Section Six from "and every person who is by" to "been fixed". Section Twenty. Section One hundred and fifteen, from "Provided always" to end of that section. Section One hundred and eighteen, the last paragraph. Schedule I.
c. 25.	*An Act the title of which begins with the words,*—An Act to empower the Lord Lieutenant,—*and ends with the words,*—and to continue "The Peace Preservation (Ireland) Act, 1870."
c. 26. in part.	An Act to alter the Law respecting Religious Tests in the Universities of Oxford, Cambridge, and Durham, and in the Halls and Colleges of those Universities - - } in part; namely,— Section Eight to "mentioned; and". The Schedule.
c. 29. in part.	An Act to facilitate the payment of Dividends on India Stocks - - - } in part; namely,— So far as the Act applies 33 & 34 Vict. c. 71. s. 20., the last paragraph.
c. 30. in part.	An Act for the further Regulation of the Duties on Postage - - - } in part; namely,— Section One. Section Two from "and the Acts" to end of that section. Section Four. Schedule Two.

34 & 35 Vict.—*cont.*		
c. 31. in part.	An Act to amend the Law relating to Trades Unions Section Twenty-four.	in part; namely,—
c. 33. in part.	An Act to explain and amend the Burial Acts Section One, the last paragraph.	in part; namely,—
c. 35. in part.	An Act to transfer to the Commissioners of Her Majesty's Works and Public Buildings the property in and control over the Buildings and Property of the Police Courts of the Metropolis, and for other purposes relating thereto Section Five. The Schedule.	in part; namely,—
c. 36. in part.	An Act to extend the Provisions of the Pension Commutation Acts, 1869 and 1870, to certain Public Civil Officers, and to consolidate and amend the said Acts Section Thirteen to "this Act, and". Section Fourteen.	in part; namely,—
c. 37. in part.	An Act to amend the Law relating to the Tables of Lessons and Psalter contained in the Prayer Book Section Two from "Provided that the Table" to "therefor; and".	in part; namely,—
c. 38. in part.	An Act for amending the Public Health (Scotland) Act, 1867 Section One to "declared, that".	in part; namely,—
c. 46.	An Act for amending the Law relating to the Appointment of the Gaoler, Chaplain, and Matron of the Prison of the City of Bath.	
c. 47. in part.	An Act for amending the Acts regulating the borrowing of Money by the Metropolitan Board of Works; and for other purposes relating thereto Sections Ten, Fourteen, and Seventeen.	in part; namely,—
c. 48. in part.	An Act to repeal divers Enactments relating to Oaths and Declarations which are not in force; and for other purposes connected therewith Section One to end of subsection (1). The Schedules.	in part; namely,—
c. 49. in part.	An Act to amend the Matrimonial Causes and Marriage Law (Ireland) Amendment Act, 1870 Sections Four and Seventeen.	in part; namely,—
c. 51.	An Act to apply the Sum of Ten million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-two.	
c. 52.	An Act for raising the Sum of Seven hundred thousand pounds by Exchequer Bonds for the Service of the year ending on the Thirty-first day of March One thousand eight hundred and seventy-two.	
c. 58. in part.	An Act to amend the Life Assurance Companies Act, 1870 Section One.	in part; namely,—

34 & 35 Vict.—*cont.*		
c. 59. in part.	An Act to amend "The Public Libraries (Scotland) Act, 1867," and to give additional Facilities to the Local Authorities entrusted with carrying the same into execution - - - -	in part; namely,—
	Section One.	
c. 60. in part.	An Act to amend the Public Schools Act, 1868 - - - - -	in part; namely,—
	The Preamble.	
	Section Two.	
	Section Three, except the last proviso.	
	Section Four.	
c. 62. in part.	An Act to enable Her Majesty to make Regulations relative to the leave of absence of Indian Bishops on Furlough and Medical Certificates - - - -	in part; namely,—
	From "and provided" to end of Act.	
	Repealed as to all Her Majesty's Dominions.	
c. 65. in part.	An Act to amend and consolidate the Laws relating to Juries in Ireland - -	in part; namely,—
	Section Four, from "the several" to "repealed and", the word "other", (wherever it occurs), and from "except as to anything" to end of that section.	
	Sections Five and Eleven.	
	The First Schedule.	
	The Third Schedule, Form A. to Form C.	
	The Fourth and Fifth Schedules.	
	Except as to Section Four and First Schedule, repealed so long as 39 & 40 Vict. c. 21. ss. 2, 4, 5, continue in force.	
c. 68. in part.	An Act to determine the Boundaries of the Barony and Regality of Glasgow for purposes of Registration - - -	in part; namely,—
	Sections Two to Four.	
c. 69.	An Act to enable the Board of Trade to dispense with certain provisions of the Tramways Act, 1870, in respect of certain Provisional Orders.	
c. 72. in part.	An Act for the further protection of Purchasers against Crown Debts, and for amending the Laws relating to the Office of the Registrar of Judgments and other Offices of the Court of Chancery, Ireland	in part; namely,—
	Section One.	
	Schedule A.	
c. 73. in part.	An Act for making Regulations as to the Office of Clerk of the Peace for the County Palatine of Lancaster - - -	in part; namely,—
	Section Four to "repealed, and".	
	Section Seven.	
c. 76. in part.	An Act to amend the Law relating to the Recovery of Small Debts and to Summary Jurisdiction in Ireland - - -	in part; namely,—
	Preamble, the first two paragraphs.	
	Section Three.	

34 & 35 Vict.—*cont.*		
c. 78. in part.	An Act to amend the Law respecting the Inspection and Regulation of Railways -	in part; namely,— Section Thirteen, the last paragraph. Section Fourteen, the last paragraph. Section Seventeen. Schedule Two, the third column.
c. 81.	An Act to abolish Reductions ex capite lecti in Scotland.	
c. 82.	Church Building Acts Amendment Act, 1871.	
c. 83. in part.	An Act for enabling the House of Commons and any Committee thereof to administer Oaths to Witnesses - - - -	in part; namely,— Section Two.
c. 84. in part.	An Act to amend "The Limited Owners Residences Act, 1870" - - -	in part; namely,— Section Two.
c. 86. in part.	An Act for the better Regulation of the Regular and Auxiliary Land Forces of the Crown; and for other purposes relating thereto - - - - -	in part; namely,— Section Two.
c. 89.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-two, and to appropriate the Supplies granted in this Session of Parliament.	
c. 91. in part.	An Act to make further provision for the Despatch of Business by the Judicial Committee of the Privy Council - -	in part; namely,— Section One, the first two paragraphs. Section Two.
c. 94.	An Act to amend Paragraph Three of the Second Schedule of the Elementary Education Act, 1870.	
c. 95.	An Act to continue various expiring Laws.	
c. 96. in part.	An Act for granting Certificates to Pedlars -	in part; namely,— Section Twenty-five. Schedule Two, Form C.
c. 97.	An Act for making Provision for facilitating the Manœuvres of Troops to be assembled during the ensuing Autumn.	
c. 98. in part.	An Act to amend the Vaccination Act, 1867 -	in part; namely,— Section Seventeen. The Schedule.
c. 99. in part.	An Act to amend the Procedure in the Civil Bill Courts in Ireland - - -	in part; namely,— Section Eight.
c. 100. in part.	An Act to amend "The Glebe Loan (Ireland) Act, 1870" - - - -	in part; namely,— Section Fourteen.
c. 101. in part.	An Act to amend the Law respecting the proving and sale of Chain Cables and Anchors - - - - -	in part; namely,— Sections Seven and Nine. The Third Schedule.
c. 102. in part.	An Act to amend the Laws of Charitable Donations and Bequests in Ireland -	in part; namely,— Section Two from "Provided" to end of that section. Section Four to "repealed, and". Section Six to "repealed; and". Section Eight to "repealed; and".

34 & 35 Vict.—*cont.*	
c. 103. in part.	An Act to amend the Law relating to the Customs and Inland Revenue - - - - - :— Except Sections Twenty-six and Thirty-one.
c. 105. in part.	An Act for the safe keeping of Petroleum and other Substances of a like Nature - in part; namely,— Section Seventeen. The Schedules.
c. 109. in part.	An Act to amend the Law relating to the Local Goverment of Towns and populous Places in Ireland - - - - in part; namely,— Section Twenty-six.
c. 110. in part.	An Act to amend the Merchant Shipping Acts - - - - - - in part; namely,— Section Twelve.
c. 111. in part.	An Act to amend "The Beerhouses (Ireland) Act, 1864," and for other purposes relating thereto - - - - - - in part; namely,— Section Four from "affect the" to "such repeal". Section Five.
c. 112. in part.	An Act for the more effectual Prevention of Crime - - - - - - in part; namely,— Section Twenty-one.
c. 113. in part.	An Act to amend "The Metropolis Water Act, 1852;" and to make further Provision for the due Supply of Water to the Metropolis and certain Places in the Neighbourhood thereof - - - - in part; namely,— Section Five. Section Thirty-nine from "Notwithstanding" to end of that section. Section Fifty-one. Schedules B. and C.
c. 115. in part.	An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads - - in part; namely,— Sections One to Fourteen. Section Fifteen, the last paragraph. Section Sixteen, the words and figures "or the Annual Turnpike Acts Continuance Act, 1868," and the last paragraph. The Schedules.
35 & 36 Vict. c. 1.	An Act to apply certain sums out of the Consolidated Fund to the Service of the Years ending the Thirty-first day of March One thousand eight hundred and seventy-one, One thousand eight hundred and seventy-two, and One thousand eight hundred and seventy-three.
c. 2. in part.	An Act to extend and explain the Law relating to Loans for purposes connected with the Relief of the Poor - - - in part; namely,— Section Three.
c. 3.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.
c. 4.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

35 & 36 Vict.—*cont.*	
c. 5. in part.	An Act to amend the Charter under which the Governor and Company of the Bank of Ireland is incorporated - - } in part; namely,— Section Seven.
c. 9. in part.	An Act to continue the Appointment and Jurisdiction of the Commissioners for the Sale of Incumbered Estates in the West Indies - - - - - } in part; namely,— Section Three. Repealed as to all Her Majesty's Dominions.
c. 11.	An Act to apply the sum of Six million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-three.
c. 14. in part.	An Act for the alteration of Boundaries of Dioceses - - - - - } in part; namely,— Section One.
c. 20. in part.	An Act to grant certain Duties of Customs and Inland Revenue and to alter other Duties - - - - - } in part; namely,— Sections Two to Four. Section Six from "and no person" to end of that section. Sections Seven to Thirteen.
c. 22.	An Act to repeal an Act intituled "An Act to restrain Party Processions in Ireland."
c. 23. in part.	An Act for amending the Law relating to the Harbours and Coasts of the Isle of Man - } in part; namely,— Sections Twenty-four and Thirty-three. The Second Schedule.
c. 25. in part.	An Act to amend the Juries Act (Ireland), 1871 - - - - - } in part; namely,— Sections One, Four, and Six. The Schedule. Except as to Section One repealed so long as 39 & 40 Vict. c. 21. ss. 2, 3, 5, continue in force.
c. 30. in part.	An Act to suspend the compulsory Operation of the Chain Cables and Anchors Act, 1871 } in part; namely,— Section One to "repealed and" and the last two paragraphs.
c. 37.	An Act to apply the Sum of Eight million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-three.
c. 40.	An Act for continuing the Bishops Resignation Act, 1869.
c. 43.	An Act to enable the Board of Trade to dispense with certain Provisions of the Tramways Act, 1870, in respect of certain Provisional Orders.
c. 44. in part.	*An Act the title of which begins with the words*,—An Act to abolish the Office of Accountant General of the High Court of Chancery,—*and ends with the words*,—Moneys and Effects of the Suitors thereof } in part; namely,— Section Four from "the office" to "abolished, and". Section Twenty-two. Section Twenty-six, the first paragraph, and subsection (1) of the proviso. Schedule Two.

35 & 36 Vict.—*cont.*

c. 47. in part.	An Act to amend the Act of the thirtieth and thirty-first years of Victoria, chapter eighty-five, intituled "An Act to include the whole of the Burgh of Galashiels within the County, Sheriffdom, and Commissariot of Selkirk" - - - Section Two.	in part; namely,—
c. 54.	An Act to amend the Public Schools Act, 1868.	
c. 55. in part.	An Act for making better provision for the erection of Lighthouses on the Great Basses Rock, and on the Little Basses Rock in the Colony of Ceylon - - Section Eight.	in part; namely,—
c. 57. in part.	An Act for the Abolition of Imprisonment for Debt in Ireland, and for the Punishment of fraudulent Debtors, and for other purposes relating thereto - - - - Section Six, the last paragraph. Section Twenty-seven.	in part; namely,—
c. 58. in part.	An Act for the Amendment of the Law of Bankruptcy in Ireland - - - Section Five. Section Twenty-one, subsection (3), the second paragraph, and subsection (8). Schedule A.	in part; namely,—
c. 59.	An Act to amend Paragraph Three of the Second Schedule of the Elementary Education Act, 1870.	
c. 60. in part.	An Act for the better prevention of Corrupt Practices at Municipal Elections, and for establishing a Tribunal for the trial of the Validity of such Elections - - Section Twenty-nine. The Schedule.	in part; namely,—
c. 62. in part.	An Act to amend and extend the provisions of the Law of Scotland on the subject of Education - - - - Section Three from "to endure" in the first paragraph to end of subsection (5). Sections Four, Six, and Seven. Section Twelve, except the last paragraph. Section Twenty-seven from "and should any school board" to end of that section. Section Twenty-nine to "Board of Education, or". Section Thirty-seven from "And for the purpose" to end of that section. Section Forty-six from "provided always" to end of that section. Section Seventy-eight. Schedule B., Rule 4.	in part; namely,—
c. 64.	An Act for making provision for facilitating the Manœuvres of Troops to be assembled during the ensuing Autumn.	
c. 65. in part.	An Act to amend the Bastardy Laws - Section Two. The First Schedule.	in part; namely,—

35 & 36 Vict.—*cont.*	
c. 69. in part.	*An Act the title of which begins with the words*,—An Act for constituting a Local Government Board in Ireland,—*and ends with the words*,—Relief of the Poor in Ireland - - - - - in part; namely,—
	Section Twelve from "section" to "1871, and".
	The Schedule, except so far as it relates to 17 & 18 Vict. c. 103. and 34 & 35 Vict. c. 109.
c. 70. in part.	An Act to make better provision respecting certain Fees payable to the Law Officers of the Crown for England - - in part; namely,—
	Section Two from "but this" to end of that section.
c. 73. in part.	An Act to amend the Merchant Shipping Acts and the Passenger Acts - - in part; namely,—
	Section Three from "and the fourth" to "1871".
	Section Five to "repealed, and".
	Section Eight to "repealed, and".
	Section Ten from "the Trinity House of Deptford Strond shall" to "per annum; and that".
c. 76. in part.	An Act to consolidate and amend the Acts relating to the Regulation of Coal Mines and certain other Mines - - - in part; namely,—
	Section Nineteen, the words "The Weights and Measures Act, or" and the second paragraph (including the subsections).
	Sections Twenty-three, Twenty-four, and Seventy-six.
	Schedule Three.
c. 77. in part.	An Act to consolidate and amend the Law relating to Metalliferous Mines - - in part; namely,—
	Section Forty-five.
	The Schedule.
c. 79. in part.	An Act to amend the Law relating to Public Health:—
	Except Sections One, Two, Twenty, Fifty-one, Fifty-two, and Fifty-nine, and Section Sixty, so far as it relates to the interpretation of the terms "The metropolis" and "Local Government Acts" and the terms following the last-mentioned term.
	Repealed except as to the parish of Woolwich.
c. 80.	*An Act the title of which begins with the words*,—An Act to enable the Commissioners of Her Majesty's Treasury,—*and ends with the words*,—"The Kensington Station and North and South London Junction Railway Act, 1859."
c. 83.	An Act to extend the provisions of the Pensions Commutation Act, 1871, to Officers and Clerks of Telegraph Companies who are entitled to Annuities.
c. 85. in part.	An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further provisions concerning Turnpike Roads - in part; namely,—
	Sections One to Eleven.
	The Schedules.
	Provided that the repeal shall take effect with respect to 13 & 14 Vict. c. lxvi. (mentioned in the Tenth Schedule) from the date mentioned for the continuation thereof.
c. 87.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-three, and to appropriate the Supplies granted in this Session of Parliament.

35 & 36 Vict.—*cont.*	
c. 88.	An Act to continue various expiring Laws.
c. 91. in part.	An Act to authorise the application of Funds of Municipal Corporations and other Governing Bodies in certain cases - } in part; namely,— Section Nine.
c. 92. in part.	An Act to render unnecessary the general Appointment of Parish Constables - } in part; namely,— Section Three from "and the twelfth" to "repealed,". Section Thirteen.
c. 93. in part.	An Act for consolidating, with Amendments, the Acts relating to Pawnbrokers in Great Britain - - - - - } in part; namely,— Section Four from "but this repeal" to end of that section. Section Fifty-four.
c. 94. in part.	An Act for regulating the Sale of Intoxicating Liquors - - - - } in part; namely,— Section Twenty-eight from "and where other" to "nine of the clock;". Section Thirty-seven, the last paragraph. Section Thirty-eight from "Provided that" to end of subsection 2. Section Forty, the last paragraph to "had not passed". Section Sixty-nine from "Provided that" to end of that section. Section Seventy-four from "Police district means" to "him in that behalf:". Section Seventy-five to end of subsection (6). Section Seventy-seven as to the interpretation of the terms "License," "Licensing justices," "register of licenses," and "clerk to the licensing justices". Section Eighty. The Second Schedule.
36 & 37 Vict. c. 2. in part.	An Act to make special provisions in relation to the Constitution of certain Polling Districts at Parliamentary Elections in Ireland - - - - - } in part; namely,— Section One. Section Two, subsections (1) to (5). Section Three to "be it enacted that". The Schedule.
c. 3.	An Act to apply certain Sums out of the Consolidated Fund to the Service of the Years ending the Thirty-first day of March One thousand eight hundred and seventy-two, One thousand eight hundred and seventy-three, and One thousand eight hundred and seventy-four.
c. 7.	An Act to enlarge the Time within which an Address by either House of Parliament against certain Schemes made under the Endowed Schools Act, 1869, may be presented to Her Majesty.
c. 8.	An Act to make provision for the Assessment of Income Tax, and as to Assessors in the Metropolis.
c. 9. in part.	An Act to amend the Bastardy Laws - in part; namely,— Section Two. Section Three, the first subsection, and the word "And" next following. Section Eight.
c. 10.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.

36 & 37 Vict.—*cont.*	
c. 11.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.
c. 12. in part.	An Act to amend the Law as to the Custody of Infants - - - - } in part; namely,— Section Three.
c. 13.	An Act to discontinue the Office of Special Commissioners of Salmon Fisheries in England.
c. 14. in part.	An Act to repeal the Acts relating to the Harbour of Portpatrick in Scotland, and to vest the Lighthouse of Portpatrick in the Commissioners of Northern Lighthouses - } :— Except Section Four.
c. 17. in part.	*An Act the title of which begins with the words,*—An Act to provide for the Redemption or Commutation of the Dividend on the Capital Stock of the East India Company,—*and ends with the words,*—Dissolution of the East India Company - } in part; namely,— Sections Three to Nine. Section Ten to "shall think fit; and". Sections Eleven to Fifteen, Nineteen to Twenty-three, Twenty-six, Thirty-five, and Thirty-six. Provided that, without prejudice to the general savings in this Act, this repeal shall not affect any jurisdiction or procedure given or authorised by the enactments repealed with reference to questions arising in consequence of any commutation or payment, or affect any protection thereby conferred in reference to any act, matter, or thing done by any trustee, executor, administrator, or other person.
c. 18. in part.	An Act to grant certain Duties of Customs and Inland Revenue, and to alter other Duties - - - } :— Except Sections One, Four, and Five.
c. 19. in part.	An Act for making better provision for the management in certain cases of Lands allotted under Local Acts of Inclosure for the benefit of the Poor - - - } in part; namely,— Section Ten.
c. 21. in part.	An Act to abolish Tests in Trinity College and the University of Dublin - - } in part; namely,— The last section. The Schedule.
c. 23.	*An Act the title of which begins with the words,*—An Act to amend the law relating to the Grant of Superannuation,—*and ends with the words,*—One thousand eight hundred and seventy.
c. 24.	An Act to continue the Peace Preservation (Ireland) Act, 1870, and the Protection of Life and Property in certain Parts of Ireland Act, 1871.
c. 26.	An Act to apply the Sum of Twelve million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-four.
c. 27.	An Act to amend the Law relating to Juries in Ireland.
c. 30. in part.	An Act to amend the Law of Registration in Ireland so far as relates to the year One thousand eight hundred and seventy-three, and for other purposes relating thereto } :— Except Sections One and Six.

36 & 37 Vict.—*cont.*

c. 32. in part.	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India - - - -	in part; namely,—
	Section One, the last paragraph.	
c. 37. in part.	An Act to amend the Law relating to Fairs in England and Wales - - -	in part; namely,—
	Section Five.	
c. 38. in part.	*An Act the title of which begins with the words,*—An Act to amend an Act passed in the fifth year of the reign of His Majesty George the Fourth,—*and ends with the words,*—"The Vagrant Act Amendment Act, 1868" - - -	in part; namely,—
	Section Five.	
c. 41. in part.	An Act to amend the Public Schools Act, 1868, as to the Property of Shrewsbury and Harrow Schools - - -	in part; namely,—
	Section Two from "with reference to Shrewsbury" to "Shrewsbury, and."	
	Sections Three, Four, and Six to Eight.	
c. 42. in part.	An Act for amending the Tithe Commutation Acts with respect to Market Gardens	in part; namely,—
	Section Two.	
c. 45. in part.	*An Act the title of which begins with the words,*—An Act to authorise the Commissioners of Her Majesty's Treasury to guarantee,—*and ends with the words,*—Canada Defences Loan Act, 1870 - -	in part; namely,—
	Section Nine.	
c. 47.	*An Act the title of which begins with the words,*—An Act to amend an Act passed in the session of Parliament held in the thirtieth and thirty-first years,—*and ends with the words,*—Cork and Waterford; and for other purposes relating thereto.	
c. 48. in part.	An Act to make better provision for carrying into effect the Railway and Canal Traffic Act, 1854, and for other purposes connected therewith - - -	in part; namely,—
	Section Thirty-three.	
c. 51. in part.	An Act to amend the Law relating to the Superannuation of Prison Officers in Ireland - - - - -	in part; namely,—
	Section Three.	
	The Schedule.	
c. 53. in part.	*An Act the title of which begins with the words,*—An Act to make better provision respecting certain Sums payable to Schoolmasters of Highland Schools,—*and ends with the words,*—endowment of addit onal Schools in Scotland - - -	in part; namely,—
	Section Three, the last two paragraphs.	
	Sections Four and Five.	
c. 54.	An Act to raise the Sum of One million six hundred thousand pounds sterling by Exchequer Bonds for the Service of the Year ending on the Thirty-first day of March One thousand eight hundred and seventy-four.	
c. 58.	An Act for making provision for facilitating the Manœuvres of Troops to be assembled during the ensuing Autumn.	

36 & 37 Vict.—*cont.* c. 59. in part.	*An Act the title of which begins with the words*,—An Act for regulating and extending the Jurisdiction in matters connected with the Slave Trade,—*and ends with the words*,—under future Treaties - } in part; namely,— Section Eight. The Schedule.
c. 62. in part.	An Act to amend Section Twenty-four of the Public Schools Act, 1868, with respect to the Property of Eton College - - } in part; namely,— The Preamble. Section One except the last two paragraphs of that section.
c. 63. in part.	An Act to amend the Law relating to Law Agents practising in Scotland - - } in part; namely,— Sections Three, Four, Ten, Twenty-four, and Twenty-five. Provided that, without prejudice to the general savings in this Act, this repeal shall not affect the obligation under Section Three or Section Four on the Registrar to enrol as a Law Agent any person and to grant to him a certificate of enrolment.
	An Act the title of which begins with the words,—An Act for the constitution of a Supreme Court,—*and ends with the words*,—Judicial Committee of Her Majesty's Privy Council - - - } in part; namely,— Section Five, the second paragraph, the words "the Lord Chief Justice of the Common Pleas, and the Lord Chief Baron" and from "shall be styled" to "of Justice, and". Section Thirteen from "the Lord Chief Justice of the Common Pleas" to "Exchequer". Section Fourteen from "the Lord Chief Justice of the Common Pleas" to "Exchequer,". Section Thirty-one, the paragraph beginning "Any deficiency". Section Thirty-seven, the words "Common Pleas, or Exchequer". Section Thirty-eight. Section Forty from "A Divisional Court" to "three such Judges". Section Forty-two to "Admiralty respectively.; and". Section Forty-three. Section Forty-four to "a Divisional Court". Section Forty-seven from "or five" to "be part". Section Seventy-eight from "and the existing Prothonotaries" to end of that section. Section Seventy-nine from "the Lord Chief Justice of the Common Pleas" to "Exchequer,". Section Eighty. Section Ninety-six from "The same order" to end of that section. Section One hundred, the paragraph beginning "London Court of Bankruptcy".
c. 70. in part.	An Act to amend the Law relating to the appointment of Revising Barristers and the holding of Revision Courts - - } in part; namely,— Section Two. The Schedule.

36 & 37 Vict.—*cont.*		
c. 71. in part.	An Act to amend the Law relating to Salmon Fisheries in England and Wales - -	in part; namely,— Section Four from "The definition" to "repealed, and". Section Fifty-five from "that sections" to "repealed, and". Section Sixty-five.
c. 73.	An Act to amend so much of section four of the Public Health Act, 1872, as relates to the Cambridge Commissioners.	
c. 74.	An Act to amend the Laws relating to the Pay of the Royal Irish Constabulary.	
c. 75.	An Act to continue various expiring Laws.	
c. 79.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-four, and to appropriate the Supplies granted in this Session of Parliament.	
c. 81. in part.	An Act to authorise the division of the Wapentake of Langbaurgh in the county of York into Districts for the purpose of Coroners jurisdiction, and the appointment of additional Coroners for the said Wapentake - - - - -	in part; namely,— Section Six.
c. 85. in part.	An Act to amend the Merchant Shipping Acts - - - - -	in part; namely,— Section Thirty-three.
c. 86. in part.	An Act to amend the Elementary Education Act (1870), and for other purposes connected therewith - - -	in part; namely,— Section Four. Section Six from "but the said" to end of that section. Section Ten, the last paragraph. Section Sixteen, the last paragraph. Section Eighteen, the last paragraph. Section Twenty-one from "but such substitution" to end of that section. Section Twenty-four, subsections (1.) and (2.) Section Twenty-eight. The Fourth Schedule.
c. 87. in part.	An Act to continue and amend the Endowed Schools Act, 1869 - -	in part; namely,— Section Nine. Section Fourteen, the last paragraph. Sections Nineteen and Twenty. The Schedule.
c. 88. in part.	An Act for consolidating with Amendments the Acts for carrying into effect Treaties for the more effectual Suppression of the Slave Trade, and for other purposes connected with the Slave Trade - -	in part; namely,— Section Thirty. The Second Schedule.
c. 89. in part.	An Act to extend and amend the provisions of the Gas and Water Works Facilities Act, 1870 - - - -	in part; namely,— Sections Two to Eleven. The Schedule.

36 & 37 Vict.—*cont.*	
c. 90. in part.	An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and for other purposes connected therewith - - - - } in part; namely,— Sections One to Twelve. The Schedules.
37 & 38 Vict. c. 1.	*An Act the title of which begins with the words,*—An Act to apply the Sum of,—*and ends with the words,*—One thousand eight hundred and seventy-four.
c. 2.	An Act to apply the sum of Seven million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-five.
c. 3. in part.	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India - - - - } in part; namely,— Section Fourteen. Section Fifteen from "and the provisions" to end of that section. Section Eighteen.
c. 4.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.
c. 5.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.
c. 7. in part.	An Act to amend the Law respecting the payment of the Assistant Judge of the Court of the Sessions of the Peace for the county of Middlesex, and his Deputy, and the Chairman of the Second Court at such Sessions - - - - } in part; namely,— Section Five. The Second Schedule.
c. 9.	*An Act the title of which begins with the words,*—An Act to authorise an Advance out of the Consolidated Fund, — *and ends with the words,*—Elementary Education Act, 1873.
c. 10.	An Act to apply the Sum of Thirteen million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-five.
c. 13.	An Act to extend to the present Bishop of Calcutta the Regulations made by Her Majesty as to the Leave of Absence of Indian Bishops. Repealed as to all Her Majesty's Dominions.
c. 15. in part.	An Act to amend the Act of sixteenth and seventeenth Victoria, chapter one hundred and nineteen, intituled "An Act for the Suppression of Betting Houses" - - } in part; namely,— Section Four to "repealed, and".
c. 16.	An Act to grant certain Duties of Customs and Inland Revenue, to repeal and alter other Duties, and to amend the Laws relating to Customs and Inland Revenue.
c. 21. in part.	An Act for the discontinuance of the Four Courts Marshalsea (Dublin), and the removal of Prisoners therefrom - - } in part; namely,— Section Five, the proviso. Section Six. Section Seven, the words "removed or". Section Eight to end of Act.

37 & 38 Vict.—*cont.*		
c. 22.	An Act to relieve Revenue Officers from remaining Electoral Disabilities.	
c. 23. in part.	An Act to amend the Acts regulating the Salaries of Resident Magistrates in Ireland and the Salaries of the Chief Commissioner and Assistant Commissioner of Police of the Police District of Dublin Metropolis -	in part; namely,—
	Section One.	
	Section Six, the second paragraph.	
	Section Seven to "enacted, that" and from "Provided always" to end of that section.	
	Schedule B.	
c. 24. in part.	An Act to empower the Public Works Loan Commissioners to advance a Sum of Money, by way of Loan, for the improvement of the Harbour of Colombo in the Colony of Ceylon - - - - -	in part; namely,—
	Section Six.	
c. 25. in part.	An Act to remove the Restrictions contained in the British White Herring Fishery Acts in regard to the use of Fir Wood for Herring Barrels - - - -	in part; namely,—
	Section One to "is hereby repealed; and".	
c. 28.	An Act to further amend the Law relating to Juries in Ireland.	
c. 34. in part.	An Act to amend the Act of the fifty-fifth year of King George the Third, chapter one hundred and ninety-four, intituled "An Act for better regulating the Practice of Apothecaries in England and Wales" -	in part; namely,—
	Section Two.	
c. 40. in part.	*An Act the title of which begins with the words*,—An Act to amend the powers of the Board of Trade,—*and ends with the words*,—reference of Differences to the Railway Commissioners in lieu of Arbitrators - - - - -	in part; namely,—
	Section Five.	
c. 42. in part.	An Act to consolidate and amend the Laws relating to Building Societies - -	in part; namely,—
	Section Twenty-seven, the word "now".	
	Section Forty-four from "The registrar" to end of that section.	
	The Schedule from "Forms of Certificate" to end.	
c. 45. in part.	*An Act the title of which begins with the words*,—An Act for altering the Boundaries between the Liberty of St. Alban, —*and ends with the words*,—Justice at Quarter Sessions in that County - -	in part; namely,—
	Section Ten, the last paragraph.	
	Section Fourteen, the words "of the county prison at Hertford, and" (where they first occur), the word "other" (where it next occurs) and from "A governor" to "and other".	
	Section Fifteen, the words "of the county prison at St. Albans and" (where they first occur), the word "other" (when it next occurs) and from "A governor" to "and other".	
	Section Eighteen, the sixth paragraph.	
	Section Twenty-one, the last paragraph.	
	Sections Twenty-seven, Thirty to Thirty-five, and Forty-three.	

37 & 38 Vict.—*cont.*		
c. 46. in part.	An Act to consolidate and amend the Duties of Customs in the Isle of Man - - - Section Six. Schedule A.	in part; namely,—
c. 49. in part.	An Act to amend the Laws relating to the Sale and Consumption of Intoxicating Liquors - - - - - Section Two, the words "and as to the provision repealing section twenty-four of the principal Act,". Section Four from "and so much" to end of that section. Section Twelve to "enacted, that". Section Twenty-seven to "enactment, and". Section Thirty-three.	in part; namely,—
c. 51. in part.	An Act to amend the Law respecting the Proving and Sale of Chain Cables and Anchors - - - - - Section Six to "in lieu thereof" Section Eight. The Schedule.	in part; namely,—
c. 53. in part.	An Act to amend the Law relating to the Payment of Revising Barristers - - Section Five. The Schedule.	in part; namely,—
c. 54. in part.	An Act to amend the Law respecting the Liability and Valuation of certain Property for the purpose of Rates - - - Section Fourteen.	in part; namely,—
c. 56.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the thirty-first day of March One thousand eight hundred and seventy-five, and to appropriate the Supplies granted in this Session of Parliament.	
c. 57. in part.	An Act for the further Limitation of Actions and Suits relating to Real Property - Section Nine from "(which several" to "repealed)".	in part; namely,—
c. 58.	An Act to make further provision respecting the contribution out of Moneys provided by Parliament towards the Expenses of the Police Force in the Metropolitan Police District, and elsewhere in Great Britain.	
c. 60.	An Act to amend and enlarge the Powers of the Acts relating to the Navigation of the River Shannon; and for other purposes relating thereto.	
c. 61. in part.	An Act for granting Compensation to Officers of the Royal (late Indian) Ordnance Corps Sections Three to Five.	in part; namely,—
c. 64. in part.	An Act to further alter and amend the Law of Evidence in Scotland, and to provide for the recording, by means of Short-hand Writing, of Evidence in Civil Causes in Sheriff Courts in Scotland - - Section One.	in part; namely,—
c. 67. in part.	An Act to regulate and otherwise deal with Slaughter-houses and certain other Businesses in the Metropolis - - - Sections Eleven and Fourteen.	in part; namely,—

37 & 38 Vict.—*cont.*		
c. 69. in part.	An Act to amend the Laws relating to the Sale and Consumption of Intoxicating Liquors in Ireland - - - -	in part; namely,—
	Section Three.	
	Section Twenty to "enacted, that".	
	Section Thirty-seven, the last paragraph.	
	Section Thirty-eight.	
c. 70. in part.	An Act to amend the Law relating to the Valuation of Rateable Property in Ireland	in part; namely,—
	Section Four.	
c. 72. in part.	An Act to explain and amend the Fines Act (Ireland), 1851, and for other purposes relating thereto - - - - -	in part; namely,—
	Section Three.	
c. 73. in part.	An Act to amend the Law relating to the Payment to and Repayment by the Commissioners for the Reduction of the National Debt of Moneys received in and to the accounts relating to the Post Office Savings Bank - - - - -	in part; namely,—
	Section Three from "Section twelve" to end of that section.	
c. 74. in part.	An Act to amend the Law respecting certain Receipts and Expenses connected with Private Lunatic Asylums in Ireland -	in part; namely,—
	Section Three.	
	The Schedule.	
c. 76.	An Act to continue various expiring Laws.	
c. 77. in part.	An Act respecting Colonial and certain other Clergy - - - - -	in part; namely,—
	Sections Two and Ten.	
	The Schedules.	
	Repealed as to all Her Majesty's Dominions.	
c. 80. in part.	An Act to amend the Laws relating to the Royal Irish Constabulary - -	in part; namely,—
	Section Two from paragraph numbered 4. to end of that section.	
	Section Thirteen.	
	The Schedule.	
c. 81. in part.	An Act to provide for the abolition of certain Offices connected with the Great Seal, and to make better provision respecting the Office of the Clerk of the Crown in Chancery - - - - -	in part; namely,—
	Section Four, the first paragraph.	
	Section Six, the first paragraph.	
	Section Nine, the words "and the Public Offices Fees Act, 1866, shall apply to all such fees".	
	Section Twelve.	
	The Schedule.	
c. 82. in part.	An Act to alter and amend the laws relating to the Appointment of Ministers to Parishes in Scotland - - - - -	in part; namely,—
	Section Three from "the said Acts" to "repealed, and".	
	Sections Four to Six.	
	Section Seven, the second paragraph.	
	Section Eight from "nor shall anything" to end of that section.	
	Section Nine from "the word guardian shall include" to "public capacity;" and from "heritors shall mean" to end of that section.	

37 & 38 Vict.—*cont.*

c. 83. in part. — An Act for delaying the coming into operation of the Supreme Court of Judicature Act, 1873 - - - - in part; namely,—
Section One.

c. 86. in part. — An Act to amend the Law relating to the Irish Reproductive Loan Fund - - in part; namely,—
Sections Six and Eight.

c. 87. in part. — An Act to amend the Endowed Schools Acts - in part; namely,—
Section One, the last paragraph.
Section Three to "inspectors; and".
Sections Seven and Eight.
The Schedule.

c. 88. in part. — An Act to amend the Law relating to the Registration of Births and Deaths in England, and to consolidate the Law respecting the Registration of Births and Deaths at Sea - - - - in part; namely,—
Section Fifty-four.
The Fifth Schedule.

c. 89. in part. — An Act to amend and extend the Sanitary Laws - - - - - in part; namely,—
Sections One to Eighteen and Twenty-one to Forty-five.
Section Forty-six to "Sanitary Acts; and".
Section Forty-eight.
Section Forty-nine so far as it relates to slaughter-houses.
Section Fifty-seven, the last two paragraphs.
Repealed except as to the parish of Woolwich.

c. 92. in part. — An Act to provide for the Transfer to the Admiralty and the Secretary of State for the War Department of Alderney Harbour and certain Lands near it - - in part; namely,—
Section Four.

c. 94. in part. — An Act to amend the Law relating to Land Rights and Conveyancing, and to facilitate the Transfer of Land in Scotland - in part; namely,—
Section Thirty-three.
Section Thirty-four from "and shall not be pleadable" to "and seventy nine:" (where those words next occur).
Section Fifty-five.
Section Fifty-seven to "His Majesty's service; and".
Section Sixty-one to "is hereby repealed; and".
Section Sixty-two to "and in place thereof".
Section Sixty-three to "and in place thereof".
Section Sixty-four to "and in place thereof".
Section Sixty-five to "and in place thereof".

c. 95. in part. — An Act to continue certain Turnpike Acts in Great Britain, and to repeal certain other Turnpike Acts; and for other purposes connected therewith - - in part; namely,—
Sections One to Nine.
The Schedules.
Provided that the repeal shall take effect with respect to 4 W. 4. c. xxxi., 15 & 16 Vict. c. cliv., 7 G. 4. c. xvi., 3 W. 4. c. lvii., and 14 Vict. c. xli. (mentioned in the Fifth and Sixth Schedules) from the dates mentioned for the continuation thereof.

38 & 39 Vict. c. 1.	*An Act the title of which begins with the words*,—An Act to apply the Sum,—*and ends with the words*,—One thousand eight hundred and seventy-five.
c. 2.	An Act to apply the Sum of Seven million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-six.
c. 3. in part.	An Act to make further provision with respect to the Salaries of the Magistrates of the Police Courts in the Metropolitan Police District - - - - } in part; namely,— Section Two. The Schedule.
c. 5. in part.	An Act to amend the Law relating to the Registry of Deeds Office, Ireland - } in part; namely,— Section One to "Provided that".
c. 7.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.
c. 8.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.
c. 9. in part.	An Act to repeal Section Eight of the Building Societies Act, 1874, and make other provision in lieu thereof - - - } in part; namely,— Section One.
c. 10.	An Act to apply the Sum of Fifteen millions out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-six.
c. 13. in part.	An Act to extend to the Docks, Custom Houses, Inland Revenue Offices, and Bonding Warehouses in England and Ireland certain provisions of The Bank Holidays Act, 1871, and to amend the same - } in part; namely,— Section Three from "and section six" to "repealed".
c. 14.	An Act to amend and continue certain Acts for the Preservation of the Peace in Ireland, and to grant an Indemnity in certain cases.
c. 15. in part.	An Act to amend the Sea Fisheries Act, 1868 - - - - - } in part; namely,— Section One from "and all powers" to "cease".
c. 17. in part.	An Act to amend the Law with respect to manufacturing, keeping, selling, carrying, and importing Gunpowder, Nitro-glycerine, and other explosive Substances - } in part; namely,— Section One hundred and twenty-two from "and the Act" to end of that section. The Fifth Schedule.
c. 19.	An Act for making perpetual the Bishops Resignation Act, 1869.
c. 21. in part.	An Act for amending the Law relating to Houses of Public Dancing, Music, or other Public Entertainment of the like kind, in the Cities of London and Westminster - } in part; namely,— Section Two from "and all proceedings" to end of that section.
c. 23. in part.	An Act to grant certain Duties of Customs and Inland Revenue, to alter other Duties, and to amend the Laws relating to Customs and Inland Revenue - - - } in part; namely,— Sections Two to Seven. Section Eleven, the first paragraph.

38 & 39 Vict. c. 23. in part—*cont.*	Section Twelve from "taken out after" to "after the said last-mentioned day" and from "and every such licence" to "duty of excise". Section Fourteen. The Schedule.	
c. 25. in part.	An Act to consolidate, with amendments, the Acts relating to the Protection of Public Stores - - - - -	in part; namely,—
	Section Eighteen to "save that". The Second Schedule.	
c. 26. in part.	An Act to amend the Law of Bankruptcy in Scotland - - - - -	in part; namely,—
	Section Two.	
c. 28. in part.	An Act to amend the Law respecting the Superannuation Allowances of certain Officers of the Staff of the Metropolitan Police - - - - -	in part; namely,—
	Section Four.	
c. 30.	An Act to amend the Glebe Loan (Ireland) Amendment Act, 1871.	
c. 31.	An Act to make perpetual Section Four of the Railway Companies Act, 1867, and Section Four of the Railway Companies (Scotland) Act, 1867.	
c. 34. in part.	*An Act the title of which begins with the words*,—An Act to amend the Acts relating to the Ecclesiastical Commissioners,—*and ends with the words*,—new Bishopric of Saint Albans - -	in part; namely,—
	Section Seven from "and whenever" to end of that section.	
c. 35. in part.	An Act for the further Amendment of the Laws relating to Turnpike Roads in South Wales - - - - -	in part; namely,—
	Section Three to "effect; namely".	
c. 37.	An Act to amend the Law relating to Juries in Ireland.	
c. 39. in part.	An Act to amend the provisions of the Metalliferous Mines Regulation Act, 1872, with respect to the annual Returns from Mines - - - - -	in part; namely,—
	Section Four.	
c. 40. in part.	An Act to amend the Law regulating Municipal Elections - - - -	in part; namely,—
	Section Twelve. The Second Schedule.	
c. 44.	An Act to amend the Constabulary (Ireland) Act, 1874.	
c. 45. in part.	An Act to amend the Law with respect to the Reduction of the National Debt and the Charge for the National Debt in the Consolidated Fund - - -	in part; namely,—
	Section Six.	
c. 50. in part.	An Act to amend the Acts relating to the County Courts - - - -	in part; namely,—
	Section Twelve. Schedule (C.)	
c. 51. in part.	*An Act the title of which begins with the words*,—An Act to amend the Act of,—*and ends with the words*,—Criminal Outrages upon Natives of the Islands in the Pacific Ocean" - - - -	in part; namely,—
	Section Eleven.	

38 & 39 Vict.—*cont.*

c. 55. in part.	An Act for consolidating and amending the Acts relating to Public Health in England	in part; namely,—
	Section Two hundred and fifty-two, the last two paragraphs.	
	Sections Three hundred and eighteen, Three hundred and twenty-four, Three hundred and twenty-five, and Three hundred and thirty-eight.	
	Schedule II. Rules 73 and 74.	
	Schedule V. Part II.	
c. 57. in part.	An Act to institute a Pharmaceutical Society, and to regulate the Qualifications of Pharmaceutical Chemists and of Chemists and Druggists, in Ireland - - -	in part; namely,—
	Section Five from "and the said persons" to "Ireland" and from "and the said Sir Dominic" to end of that section.	
	Section Eight from "on the first Monday of October in the year" to "remainder of the members of such council shall go out of office; and".	
	Sections Nine and Fourteen.	
c. 58. in part.	An Act to authorise Advances to the Public Works Loan Commissioners for enabling them to make Loans under divers Acts authorising such Loans - - -	in part; namely,—
	Sections Two and Three.	
c. 60. in part.	An Act to consolidate and amend the Law relating to Friendly and other Societies -	in part; namely,—
	Sections Five and Seven.	
	Section Thirty, subsection (3.), the last paragraph.	
	Schedule I.	
c. 61. in part.	An Act to further amend the Law of Entail in Scotland - - - -	in part; namely,—
	Section Five, subsection (3.) to "repealed; but".	
c. 63. in part.	An Act to repeal the Adulteration of Food Acts, and to make better provision for the Sale of Food and Drugs in a pure state -	in part; namely,—
	Section One.	
c. 64. in part.	An Act to repeal the Guarantee by Companies Act, 1867, and to make other provision in lieu thereof - - -	in part; namely,—
	Section One.	
c. 65. in part.	An Act for further amending the Acts relating to the raising of Money by the Metropolitan Board of Works, and for other purposes - - - -	in part; namely,—
	Section Two.	
	Section Three, the first two paragraphs.	
	Section Four, the first three and last paragraphs.	
	Section Five, the first three paragraphs.	
	Section Six, the first three and last paragraphs.	
	Section Seven.	
c. 67. in part.	An Act to amend the Laws relating to Private and District Lunatic Asylums in Ireland -	in part; namely,—
	Section Fifteen.	
c. 72.	An Act to continue various expiring Laws.	
c. 73.	An Act to amend the Law relating to the Appointment of certain Persons who entered the Employment of the Home Government of India before the thirty-first day of December one thousand eight hundred and seventy-four.	

38 & 39 Vict.—*cont.*	
c. 74. in part.	An Act to amend "The Public Health (Scotland) Act, 1867," and other Sanitary Acts, in respect of Loans for Sanitary Purposes - - - - - in part; namely,— Section Three, the first paragraph.
c. 76. in part.	An Act to make provision for Returns relating to Ecclesiastical Fees, and for other purposes - - - - in part; namely,— Section Six.
c. 77. in part.	An Act to amend and extend the Supreme Court of Judicature Act, 1873 - - in part; namely,— Section Three, the first paragraph and the words "and style" in the second paragraph. Section Four, the second paragraph from "the Lord Chief Justice of the Common Pleas" to end of that paragraph, the fourth paragraph, the fifth paragraph, the words, "the Common Pleas Division, the Exchequer Division," and the seventh paragraph to "take effect:" Section Eight to the end of the first paragraph of the enactment, the next paragraph from "He shall be entitled" to end of that paragraph and the next paragraph from "Provided that" to end of that paragraph. Section Fourteen, from "and the Lord Chief Justice of England" in the last paragraph to end of that section. Section Sixteen. Section Seventeen, subsection (1.) the words "and the Court of Appeal" and "respectively". Section Eighteen, the first paragraph from "except" to "before the commencement of this Act,". Section Nineteen, the words "the First Schedule hereto and". Section Twenty, the words "or in the First Schedule hereto,". Section Twenty-six, the third paragraph (to end of the subsections) except subsection (3.) to "the fees." Section Twenty-seven. Section Twenty-nine, except the last paragraph. Section Thirty-one. Section Thirty-three, subsection (1.) and the word "other" in subsection (2.) Section Thirty-four. The Schedules. Provided that the repeal shall take effect with respect to Sections Sixteen, Eighteen, Nineteen, and Twenty, and the First Schedule from the 24th day of October 1883.
c. 78.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-six, and to appropriate the Supplies granted in this Session of Parliament.
c. 79. in part.	An Act to amend the Law relating to Legal Practitioners - - - - in part; namely,— Section Two, the first paragraph. The Schedule.
c. 83. in part.	An Act to amend the Law relating to Securities for Loans contracted by Local Authorities - - - - in part; namely,— Section Thirty-five.

38 & 39 Vict.—*cont.*	
c. 86. in part.	An Act for amending the Law relating to Conspiracy, and to the Protection of Property, and for other purposes - - } in part; namely,— Section Seventeen, except from "Any order for wages" to "not otherwise;"
c. 87. in part.	An Act to simplify Titles and facilitate the Transfer of Land in England - - } in part; namely,— Sections One hundred and thirteen and One hundred and twenty-nine.
c. 89. in part.	An Act to consolidate with Amendments the Acts relating to Loans for Public Works - - - - - } in part; namely,— Sections Forty-two, Fifty-two, and Fifty-four. Section Fifty-seven, paragraph (2.).
c. 94. in part.	An Act to amend the Law relating to Offences against the Person - - } in part; namely,— Section Two.
c. 96. in part.	An Act to provide for additional Payments to Teachers of National Schools in Ireland } in part; namely,— Section Seven from "shall before the first" to "March one thousand eight hundred and seventy-six, and".
39 & 40 Vict. c. 2.	An Act to apply the Sum of Four million and eighty thousand pounds out of the Consolidated Fund to the Service of the Year ending on the Thirty-first day of March One thousand eight hundred and seventy-six.
c. 4.	An Act to apply certain Sums out of the Consolidated Fund to the Service of the Years ending the Thirty-first day of March One thousand eight hundred and seventy-five, One thousand eight hundred and seventy-six, and One thousand eight hundred and seventy-seven.
c. 8.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.
c. 9.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.
c. 15.	An Act to apply the Sum of Eleven million pounds out of the Consolidated Fund to the Service of the Year ending the thirty-first day of March One thousand eight hundred and seventy-seven.
c. 16. in part.	An Act to grant and alter certain Duties of Customs and Inland Revenue, and to amend the Laws relating to Customs and Inland Revenue - - - - } in part; namely,— Section Two. Section Four, the first two paragraphs. Sections Six, Seven, Nine, and Ten. The Schedule to the second "Section 6."
c. 18. in part.	An Act to incorporate the Solicitor for the Affairs of Her Majesty's Treasury, and make further provision respecting the Grant of the Administration of the Estates of deceased Persons for the use of Her Majesty - - - - } in part; namely,— Section Eight. Section Nine, the proviso, sub-section (4.).

39 & 40 Vict.—*cont.* c. 20. in part.	An Act to facilitate the Revision of the Statute Law by substituting in certain Acts, incorporating Enactments which have been otherwise repealed, a reference to recent Enactments still in force -	in part; namely,— Section One, the first paragraph. Section Two, the first paragraph. Section Three to "enacted as follows: that". Section Four, the first paragraph. Section Five, the first paragraph. Section Six.
c. 22. in part.	An Act to amend the Trade Union Act, 1871 -	in part; namely,— Section Sixteen, the first paragraph.
c. 28. in part.	An Act to amend the Court of Admiralty (Ireland) Act, 1867, and confer a more extended Admiralty Jurisdiction on the Recorders of Cork and Belfast - -	in part; namely,— Section Seven from "and such fees" to end of that section.
c. 31. in part.	An Act to grant Money for the purpose of Loans by the Public Works Loan Commissioners, and to amend the Public Works Loans Act, 1875 - - - -	in part; namely,— Sections Three and Eight.
c. 33. in part.	An Act for the Amendment of the Trade Marks Registration Act, 1875 - -	in part; namely,— Section One, the first paragraph.
c. 34. in part.	An Act to amend the Law relating to Elver Fishing - - - - -	in part; namely,— Section One.
c. 35. in part.	An Act for consolidating the Duties of Customs - - - - -	in part; namely,— Section One from "and in the Act" to "so included and repeated in the said table;" The Schedule from "or any other vegetable" to "chicory or coffee", the words and figures "Paste or chocolate - - the lb. 0 0 2", from "Malt" to "*See* Spirits" (where those words next occur), from "Tea, until the first day of August 1877" to "0 3 6" and from "Varnish. *See* Spirits" to "0 0 1."
c. 36. in part.	An Act to consolidate the Customs Laws -	in part; namely,— Section Twenty-seven, from "and the specifications" to end of that section. Section Forty-two, the fourth paragraph of the Table from "malt (except" to "made from malt)". Section Two hundred and eighty-seven.
c. 37. in part.	An Act to assimilate the Law in Ireland to the Law in England as to quieting Possessions and Titles against the Crown	in part; namely,— Section Four.
c. 38. in part.	An Act to extend the Limits of Age up to which, with the Assent of Boards of Guardians, Orphan and deserted pauper Children may be supported out of Work-houses in Ireland - - -	in part; namely,— Section One.

39 & 40 Vict.—*cont.*		
c. 39. in part.	An Act to continue certain Turnpike Acts in Great Britain, and to repeal certain other Turnpike Acts; and for other purposes connected therewith - -	in part; namely,—
	Sections One to Seven.	
	The Schedules.	
	Provided that the repeal shall take effect with respect to 6 G. 4. c. i., 7 G. 4. c. xix., 9 G. 4. cc. lxxi. and lxxiv., 10 G. 4. c. xxv., and 3 W. 4. c. xl. (mentioned in the Fourth Schedule) from the dates mentioned for the continuation thereof.	
c. 40. in part.	An Act for enabling legally qualified Medical Practitioners to hold certain public Medical Appointments, and for amending the Medical Act - - - -	in part; namely,—
	The first two paragraphs of the Preamble.	
	Section Two.	
c. 42. in part.	An Act to amend the Law respecting certain Returns from Convict Prisons - -	in part; namely,—
	Section Three.	
c. 44. in part.	An Act to amend the Law relating to Legal Practitioners in Ireland - - -	in part; namely,—
	Section Two.	
	The Schedule.	
c. 45. in part.	An Act to consolidate and amend the Laws relating to Industrial and Provident Societies - - - -	in part; namely,—
	Section Four.	
	Schedule I.	
c. 50. in part.	An Act to amend the Law for the Relief of the Poor in Ireland in respect to rating and chargeability on Poor Law Unions -	in part; namely,—
	Section Three from "The first section of," to end of that section.	
c. 52. in part.	An Act to amend the Law respecting the Powers and Duties vested in the Barrister appointed to certify the Rules of Savings Banks - - - - -	in part; namely,—
	Section Three, the third paragraph, from "but until" to end of that paragraph, and the last paragraph.	
c. 53. in part.	An Act to make further provision respecting the Superannuation Allowance to be granted to Civil Servants serving in unhealthy Climates - - -	in part; namely,—
	Section Six.	
c. 54. in part.	An Act to provide for the Foundation of a new Bishopric out of a part of the Diocese of Exeter - - - -	in part; namely,—
	Section Five from "and whenever" to end of that section.	
c. 55. in part.	An Act for further amending the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes relating thereto - - -	in part; namely,—
	Section Three.	
	Section Four, the first two paragraphs.	
	Sections Five and Six.	
	Section Seven, the first three paragraphs.	

39 & 40 Vict. c. 55. in part—*cont.*	Section Eight, the first three paragraphs. Section Nine, the first three and last paragraphs. Section Ten.
c. 56. in part.	An Act for facilitating the regulation and improvement of Commons, and for amending the Acts relating to the Inclosure of Commons - - - - } in part; namely,— Section Thirty-four to "1845, and".
c. 59. in part.	An Act for amending the Law in respect of the Appellate Jurisdiction of the House of Lords; and for other purposes - - } in part; namely,— Section Thirteen. Section Fifteen, the first paragraph from "Be it enacted" to end of that paragraph, the fourth and seventh paragraphs, and the ninth paragraph to "mentioned; and". Section Sixteen, from "and so much of section" to end of that section. Section Seventeen, the second paragraph, the words "any three or more of" and from "of whom" to "specified therein", and the last paragraph. Sections Twenty-one and Twenty-four. Provided that the repeal shall take effect with respect to Section Sixteen from the 24th day of October 1883.
c. 60.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-seven, and to appropriate the Supplies granted in this Session of Parliament.
c. 61. in part.	An Act to provide for the better arrangement of divided Parishes and other local areas, and to make sundry Amendments in the Law relating to the Relief of the Poor in England - - - } in part; namely,— Section Twelve to "repealed, and". Section Twenty-seven. Section Twenty-nine, the last paragraph.
c. 63. in part.	An Act to render necessary in Ireland a Year's Notice to Quit to determine a Tenancy from Year to Year, and otherwise to amend the Law as to Notices to Quit - } in part; namely,— Section Six to "before the passing of this Act". Section Seven.
c. 64.	An Act to continue for One Year the Police (Expenses) Act, 1875.
c. 65. in part.	An Act to amend the Tramways (Ireland) Act, 1860, and the Tramways (Ireland) Amendment Act, 1861, as regards the application of the same to the County and the County of the City of Dublin - } in part; namely,— Section Two to "subsequent year". Section Five.
c. 68.	*An Act the title of which begins with the words*,—An Act to amend the Law for the Payment of Remuneration,—*and ends with the words*,—War Department and Her Majesty's Postmaster General.
c. 69.	An Act to continue various expiring Laws.

39 & 40 Vict.—*cont.*		
c. 70. in part.	An Act to alter and amend the Law relating to the Administration of Justice in Civil Causes in the ordinary Sheriff Courts in Scotland, and for other purposes relating thereto - - - - -	in part; namely,—
	Section Twelve, subsection (6.).	
	Section Thirty-five to "abolished, and".	
	Section Forty-one from "and sections twelve and thirteen" to end of that section.	
	Section Forty-four the words "which Schedule C. is hereby repealed".	
	Section Forty-eight.	
	Section Fifty-three from "instead of" to "that purpose,".	
c. 72.	An Act to suspend for a limited period the holding of an Election of a Member or Members to serve in Parliament for the City of Norwich, and to disfranchise certain Voters for the said City, and also certain Voters for the Borough of Boston.	
	Repealed from the 15th day of August 1883.	
c. 73. in part.	An Act to amend the Pensions Commutation Act, 1871 - - - - -	in part; namely,—
	Section Three.	
c. 74. in part.	An Act for amending so much of the Agricultural Holdings (England) Act, 1875, as relates to the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy	in part; namely,—
	Section Two.	
	The Schedule.	
c. 75. in part.	An Act for making further Provision for the Prevention of the Pollution of Rivers -	in part; namely,—
	Section Thirteen to "passing of this Act;"	
c. 76. in part.	An Act to extend the privileges of Municipal Corporations in Ireland - -	in part; namely,—
	Section Three to "the Act, and" and the word "following".	
	Section Four the words "this and" and "succeeding".	
	Section Six.	
c. 78. in part.	An Act to amend the Procedure connected with Trial by Jury in Ireland -	in part; namely,—
	Section Six to "enacted, that".	
	Section Sixteen to "enacted, that".	
	Section Twenty to "and thereupon".	
	Section Twenty-two.	
	The Second Schedule.	
c. 79. in part.	An Act to make further provision for Elementary Education - - -	in part; namely,—
	Section Ten, the last paragraph.	
	Section Nineteen, the first paragraph.	
	Section Forty-four, the words "which is repealed by this Act".	
	The Fourth Schedule.	
c. 80. in part.	An Act to amend the Merchant Shipping Acts - - - - -	in part; namely,—
	Section Thirty from "by the" to "authority".	
	Section Forty-five.	
	The Schedule.	
40 & 41 Vict. c. 1.	An Act to apply the Sum of Three hundred and fifty thousand pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-seven.	

40 & 41 Vict.—*cont.*	
c. 2. in part.	An Act to provide for the preparation, issue, and payment of Treasury Bills, and make further provision respecting Exchequer Bills - - - - - in part; namely,— Section Six, the last paragraph.
c. 3. in part.	An Act to amend the Publicans' Certificates (Scotland) Act, 1876 - - - - in part; namely,— Section Two to "enacted that", from "at the meeting" to "thereof, and", and from "in every subsequent" to "shall be made". Section Three.
c. 5.	An Act to raise the Sum of Seven hundred thousand pounds by Exchequer Bills or Exchequer Bonds for the Service of the Year ending on the Thirty-first day of March One thousand eight hundred and seventy-seven.
c. 6.	An Act to apply certain Sums out of the Consolidated Fund to the Service of the Years ending on the Thirty-first day of March One thousand eight hundred and seventy-six, One thousand eight hundred and seventy-seven, and One thousand eight hundred and seventy-eight.
c. 7.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.
c. 8.	An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.
c. 9. in part.	An Act for amending the Supreme Court of Judicature Acts, 1873 and 1875 - - - in part; namely,— Section Five, from "the Master" to "Baron". Section Six.
c. 11. in part.	An Act to make provision with respect to Judicial Proceedings in certain Cases relating to Rating - - - - in part; namely,— Section Two.
c. 12.	An Act to apply the Sum of Five million nine hundred thousand pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-eight.
c. 13. in part.	An Act to grant certain Duties of Customs and Inland Revenue, and to amend the laws relating to Customs, Inland Revenue, and Savings Banks - - - - in part; namely,— Sections Two, Six to Nine, and Thirteen. Section Seventeen, the last paragraph. Schedule B.
c. 18. in part.	An Act to consolidate and amend the Law relating to Leases and Sales of Settled Estates - - - - - - in part; namely,— Section Fifty-eight. The Schedule.
c. 19.	*An Act the title of which begins with the words*,—An Act to grant Money for the purpose of Loans,—*and ends with the words*,—Public Works Loans Act, 1875.
c. 20. in part.	An Act to fix the Salaries of the Members of the Royal Irish Constabulary, and to amend the Eleventh Section of the Constabulary (Ireland) Amendment Act, 1870 in part; namely,— Section One.

40 & 41 Vict.—*cont.*	
c. 21. in part.	An Act to amend the Law relating to Prisons in England - - - } in part; namely,— Section Thirteen, the first paragraph. Section Fifteen, the first paragraph. Sections Sixteen to Twenty-one. Section Forty-five, the last paragraph. Section Forty-seven, the last paragraph. Section Fifty-four. Section Sixty, from "subject to this proviso" to end of that section.
c. 24.	An Act to apply the Sum of Twenty million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-eight.
c. 25. in part.	An Act for regulating the Examination of Persons applying to be admitted Solicitors of the Supreme Court of Judicature in England, and for otherwise amending the Law relating to Solicitors - - - } in part; namely,— Section Twenty-two. Section Twenty-three, from "Provided also" to end of that section.
c. 27. in part.	*An Act the title of which begins with the words*,—An Act to grant Money for the purposes of Loans,—*and ends with the words*,—Commissioners of Public Works in Ireland - - - - - } in part; namely,— Preamble, the fourth and fifth paragraphs. Sections Nine and Ten. Part III. The Second Schedule.
c. 32. in part.	An Act to remit certain Loans formerly made out of the Consolidated Fund or other Public Revenue of the United Kingdom - - - - - } :— Except so far as it relates to Beattock Inn.
c. 37.	An Act for extending the Time for the Registration of Trade Marks, in so far as relates to Trade Marks used in Textile Industries.
c. 38.	An Act to continue for One Year the Board of Education in Scotland.
c. 42. in part.	An Act to amend the Law relating to the Fisheries of Oysters, Crabs, and Lobsters, and other Sea Fisheries - - - } in part; namely,— Section Sixteen.
c. 43. in part.	An Act to amend the Law with respect to the Appointment, Payment, and Fees of Clerks of Justices of the Peace and Clerks of Special and Petty Sessions - - } in part; namely,— Section Eight, the second paragraph. Section Ten from "and so much" to end of that section.
c. 48. in part.	An Act to make further Provision respecting the Universities of Oxford and Cambridge and the Colleges therein - } in part; namely,— Section Two, so far as it relates to the interpretation of the terms "Emolument" "School" and "Professorship" and the terms following the last-mentioned term. Sections Three to Twenty-three, Twenty-five to Forty-three, Forty-five to Fifty-one, Fifty-six, and Fifty-nine.

40 & 41 Vict.—*cont.*

c. 49. in part. — An Act to amend the Law relating to Prisons in Ireland - - - - } in part; namely,—
Section Seven.
Section Eight from "and in case" to end of that section.
Section Ten, the last paragraph.
Section Seventeen, the second paragraph from "all boards" to "thereupon".
Section Twenty, the last two paragraphs.
Section Twenty-six to "effect, viz.,".
Section Fifty-seven, paragraph (*a.*)

c. 50. in part. — *An Act the title of which begins with the words,*—An Act to amend the Law in regard to the appointment of Sheriffs Substitute and Procurators Fiscal in Scotland, —*and ends with the words,*—purposes connected therewith - - - } in part; namely,—
Section Four to "enacted as follows:".
Section Six from "(save in" to "expressly provided)", and from "The appointment of any" to end of that section.
Section Twelve.

c. 51. in part. — An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India - - - } in part; namely,—
Section Nineteen.

c. 52. in part. — An Act for further amending the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes relating thereto - - } in part; namely,—
Sections Three to Seven.
Section Eight, the first two paragraphs.
Sections Nine and Ten.
Section Eleven, the first three paragraphs.
Section Twelve, the first three paragraphs.
Section Thirteen, the first three and last paragraphs.
Sections Fourteen to Twenty-two.
The Schedule.

c. 53. in part. — An Act to amend the Law relating to Prisons in Scotland - - - - } in part; namely,—
Sections Seventeen to Twenty-three and Twenty-six.
Section Fifty-four, the last paragraph.
Section Sixty-one, the first two paragraphs.
Section Seventy-one, the paragraph defining "Prison" from "subject to this proviso" to end of that paragraph.
Section Seventy-two.
The Schedule.

c. 56. in part. — An Act to amend the Laws relating to County Officers and to Courts of Quarter Sessions and Civil Bill Courts in Ireland - - } in part; namely,—
Section Six.
Section Thirty-three, paragraph (*e.*).
Section Forty, paragraph (*b.*).
Section Fifty-nine from "The defendant may appeal" to "1851."
Section Seventy-five to "hereby repealed, and".
Section Seventy-nine from "The power of making" to end of that section.

40 & 41 Vict. c. 56. in part—*cont.*	Section Eighty-three, the second paragraph to end of sub-section (6.) except sub-section (3.) to "the fees" and the words "applied and accounted for" in the next paragraph. Section Eighty-six, the last paragraph, except so far as it relates to the recorder of the town of Belfast. Section Eighty-eight, the last paragraph. Schedule A.
c. 57. in part.	An Act for the constitution of a Supreme Court of Judicature, and for other purposes relating to the better Administration of Justice, in Ireland - - - } in part; namely,— Section Eighteen, the sixth paragraph from "This last provision" to end of that paragraph. Section Twenty-three, sub-section three. Section Forty-three, the proviso. Section Forty-nine. Section Seventy-two, the third paragraph. Section Seventy-three, the second paragraph from "may with" to "seventy-nine, and". Section Eighty-four, the second paragraph (to end of the sub-sections) except sub-section (3.) to "the fees". Section Eighty-five, the first three paragraphs.
c. 58.	An Act to continue for One Year the Police (Expenses) Act, 1875.
c. 61.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-eight, and to appropriate the Supplies granted in this Session of Parliament.
c. 63. in part.	An Act to amend the Building Societies Act, 1874 - - - - - } in part; namely,— Section Three.
c. 64. in part.	An Act to continue certain Turnpike Acts in Great Britain, and to repeal certain other Turnpike Acts; and for other purposes connected therewith - - - } in part; namely,— Sections One to Eight. The Schedules.
c. 66. in part.	An Act to amend the Law with respect to the Annual Returns of Local Taxation in England, and for other purposes relating to such Taxation - - - } in part; namely,— Section Four to "eight, and".
c. 67.	An Act to continue various expiring Laws.
41 & 42 Vict. c. 1.	An Act to apply the Sum of Six million pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-eight.
c. 2.	An Act to raise the Sum of Six million pounds by Exchequer Bonds, Exchequer Bills, or Treasury Bills.
c. 6.	An Act to amend the Glebe Loan (Ireland) Amendment Act, 1875.
c. 7.	An Act to raise the Sum of One million pounds by Exchequer Bonds, for the Service of the Year ending on the Thirty-first day of March One thousand eight hundred and seventy-eight.
c. 9.	An Act to apply certain Sums out of the Consolidated Fund to the Service of the Years ending on the Thirty-first day of March One thousand eight hundred and seventy-seven, One thousand eight hundred and seventy-eight, and One thousand eight hundred and seventy-nine.
c. 10.	An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.

41 & 42 Vict.—*cont.*		
c. 15. in part.	An Act to grant certain Duties of Customs and Inland Revenue, to alter other Duties, and to amend the Laws relating to Customs and Inland Revenue - -	in part; namely,—
	Section Two.	
	Section Three to "under the Customs Tariff Act, 1876," the words and figures "Segars - - the lb. 0 5 4" and the last paragraph.	
	Section Six from "and section one" to end of that section.	
	Sections Seven to Eleven.	
	Section Thirteen, sub-section (3.).	
	Section Seventeen from "Provided" to end of that section.	
	Section Eighteen.	
c. 16. in part.	An Act to consolidate and amend the Law relating to Factories and Workshops -	in part; namely,—
	Section Two from "Provided that" to end of that section.	
	Section One hundred and three.	
	Section One hundred and seven, the proviso.	
c. 18. in part.	*An Act the title of which begins with the words*,—An Act to grant Money for purpose of Loans,—*and ends with the words*, —Public Works Loans Act, 1875 -	in part; namely,—
	Sections Two, Five, and Seven.	
c. 21.	An Act to apply the Sum of Seven million five hundred thousand pounds out of the Consolidated Fund to the Service of the Year ending on the Thirty-first day of March One thousand eight hundred and seventy-nine.	
c. 22.	An Act to raise the Sum of One million five hundred thousand pounds by Exchequer Bonds, for the Service of the Year ending on the Thirty-first day of March One thousand eight hundred and seventy-nine.	
c. 26. in part.	*An Act the title of which begins with the words*,—An Act to amend the Law relating to the Registration of Voters,—*and ends with the words*,—appeals from Revising Barristers - - -	in part; namely,—
	Section Forty-two.	
c. 30. in part.	An Act to alter the time of electing Commissioners under the General Police and Improvement (Scotland) Act, 1862 -	in part; namely,—
	Section Two.	
	Section Three, the last proviso.	
c. 35.	An Act to extend for a further limited Period Section Thirty-four of the Supreme Court of Judicature Act, 1875.	
c. 36.	An Act to continue for One Year the Police (Expenses) Act, 1875.	
c. 37. in part.	An Act to further amend the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes relating thereto - -	in part; namely,—
	Sections Three and Four.	
	Section Five, the first two paragraphs.	
	Sections Six to Nine.	
	Section Ten, the first three paragraphs.	
	Section Eleven, the first three paragraphs.	
	Section Twelve, the first three and last paragraphs.	
	Sections Thirteen to Twenty-one.	
	The Schedule.	

41 & 42 Vict.—*cont.*

c. 39. in part.	An Act for the protection of Freshwater Fish - - - - - } in part; namely,— Section Thirteen.
c. 45.	An Act to apply the Sum of Fourteen millions five hundred thousand pounds out of the Consolidated Fund to the Service of the Year ending on the Thirty-first day of March One thousand eight hundred and seventy-nine.
c. 47. in part.	An Act to enable the Trustees of the Elders' Widows' Fund to apply the Capital of the said Fund in aid of Income; and for other purposes in relation thereto - - } in part; namely,— Section One.
c. 48.	An Act to amend the Law relating to Endowed Schools and Hospitals and other Endowed Institutions in Scotland; and for other purposes.
c. 49. in part.	An Act to consolidate the Law relating to Weights and Measures - - - } in part; namely,— Section Eighty-six from "and all weights and measures which" in sub-section (4.) to end of that section.
c. 50. in part.	An Act to amend the County of Hertford and Liberty of St. Alban Act, 1874 - } in part; namely,— Sections Two and Six.
c. 51. in part.	An Act to alter and amend the Law in regard to the Maintenance and Management of Roads and Bridges in Scotland - } in part; namely,— Section Four, the last two paragraphs. Section Ninety-four to "cease to exist; and" Section One hundred and twenty-two.
c. 52. in part.	An Act to consolidate and amend the Acts relating to Public Health in Ireland - } in part; namely,— Sections Two hundred and ninety one and Two hundred and ninety-four. Schedule A., the headnote, and the third column.
c. 53. in part.	An Act to facilitate Improvements in the Organisation of the Admiralty and War Office by the retirement of Clerks from certain of the Civil Departments thereof - } in part; namely,— Sections One to Six, Ten, and Eleven.
c. 62. in part.	An Act to continue certain Turnpike Acts, and to repeal certain other Turnpike Acts; and for other purposes connected therewith } in part; namely,— Sections One to Eight. Section Nine, the last paragraph. The Schedules. Provided that the repeal shall take effect with respect to 19 & 20 Vict. c. lxiv. (mentioned in the Third Schedule) from the date mentioned for the continuation thereof.
c. 64.	An Act to raise the Sum of Two million pounds by Exchequer Bonds, Exchequer Bills, or Treasury Bills for the Service of the Year ending on the 31st day of March 1879.
c. 65.	An Act to apply a Sum out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and seventy-nine, and to appropriate the Supplies granted in this Session of Parliament.

41&42 Vict.—*cont.*		
c. 66. in part.	An Act to promote Intermediate Education in Ireland - - - -	in part; namely,—
	Section Six, the last paragraph.	
	The Schedule.	
c. 67. in part.	An Act for extending and amending the Foreign Jurisdiction Acts - -	in part; namely,—
	Section Two.	
	First Schedule, the entry relating to 6 & 7 Vict. c. 34.	
	Second Schedule.	
	Repealed as to all Her Majesty's Dominions.	
c. 69. in part.	An Act to amend the Law regulating the Office of Clerk of Petty Sessions, and the Law relating to Fines, in Ireland; and for other purposes - - -	in part; namely,—
	Section Two to "repealed; and".	
	Section Four to "repealed; and".	
	Section Ten to "instead thereof".	
c. 70.	An Act to continue various expiring Laws.	
c. 72. in part.	An Act to prohibit the Sale of Intoxicating Liquors on Sunday in Ireland - -	in part; namely,—
	Section Four, the proviso.	
c. 74. in part.	An Act for making better provision respecting Contagious and Infectious Diseases of Cattle and other Animals; and for other purposes - - - -	in part; namely,—
	Section Four, except the last paragraph.	
	Section Thirty-five, paragraph (2.) from "and until" to end of that paragraph.	
	The First Schedule.	
c. 77. in part.	An Act to amend the Law relating to Highways in England and the Acts relating to Locomotives on Roads; and for other purposes - - - -	in part; namely,—
	Section Nine, the fourth paragraph to "district fund, and" and the last paragraph.	
	Section Twelve.	
c. 78. in part.	An Act to further amend the Provisions of the Law of Scotland on the subject of Education, and for other purposes connected therewith - - -	in part; namely,—
	Section Fourteen.	

CHAPTER 40.

An Act to continue various expiring Laws.

[25th August 1883.]

WHEREAS the several Acts mentioned in column one of the schedule to this Act are to the extent specified in column two of that schedule, limited to expire on the thirty-first day of December one thousand eight hundred and eighty-three:

And whereas it is expedient to provide for the continuance as in this Act mentioned of such Acts, and of the enactments amending the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Expiring Laws Continuance Act, 1883.

Continuance Acts in schedule.

2. The Acts mentioned in column one of the schedule to this Act, in so far as they are temporary in their duration, shall, to the extent in column two of the said schedule mentioned, be continued until the thirty-first day of December one thousand eight hundred and eighty-four, and any enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner.

SCHEDULE.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(1) 5 & 6 Will. 4. c. 27. Linen, Hempen, Cotton, and other Manufactures (Ireland).	The whole Act so far as it is not repealed.	3 & 4 Vict. c. 91. (except ss. 18 and 23). 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 30 & 31 Vict. c. 60.
(2) 3 & 4 Vict. c. 89. Poor Rates, Stock in Trade Exemption.	The whole Act.	——
(3) 4 & 5 Vict. c. 35. Copyhold, Inclosure, and Tithe Commissioners (now Land Commissioners).	So much as relates to the appointment of and the period for holding office by Land Commissioners and other officers.	14 & 15 Vict. c. 53. 25 & 26 Vict. c. 73. 45 & 46 Vict. c. 38. s. 48.
(4) 4 & 5 Vict. c. 59. Application of Highway Rates to Turnpike Roads.	The whole Act.	——
(5) 10 & 11 Vict. c. 32. Landed Property Improvement (Ireland).	As to powers of Commissioners.	12 & 13 Vict. c. 59. 13 & 14 Vict. c. 31. 25 & 26 Vict. c. 29. 29 & 30 Vict. c. 40.
(6) 10 & 11 Vict. c. 98. Ecclesiastical Jurisdiction.	As to provisions continued by 21 & 22 Vict. c. 50.	——
(7) 11 & 12 Vict. c. 32. County Cess (Ireland).	The whole Act.	20 & 21 Vict. c. 7.
(8) 14 & 15 Vict. c. 104. Episcopal and Capitular Estates Management.	The whole Act so far as it is not repealed.	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(9) 23 & 24 Vict. c. 19. Dwellings for Labouring Classes (Ireland).	The whole Act.	——
(10) 24 & 25 Vict. c. 109. Salmon Fishery (England) Act.	As to appointment of inspectors, s. 31.	——
(11) 26 & 27 Vict. c. 105. Promissory Notes.	The whole Act.	——
(12) 27 & 28 Vict. c. 20. Promissory Notes and Bills of Exchange (Ireland).	The whole Act.	——
(13) 28 & 29 Vict. c. 46. Militia Ballots Suspension.	The whole Act.	——
(14) 28 & 29 Vict. c. 83. Locomotives on Roads.	The whole Act so far as it is not repealed.	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.)
(15) 29 & 30 Vict. c. 52. Prosecution Expenses.	The whole Act.	——
(16) 32 & 33 Vict. c. 21. Election Commissioners Expenses.	The whole Act.	34 & 35 Vict. c. 61.
(17) 32 & 33 Vict. c. 56. Endowed Schools (Schemes).	As to the powers of making schemes, and as to the payment of the salaries of additional Charity Commissioners and additional secretary.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87.
(18) 34 & 35 Vict. c. 87. Sunday Observance Prosecutions.	The whole Act.	——
(19) 35 & 36 Vict. c. 33. Parliamentary and Municipal Elections (Ballot).	The whole Act so far as it is not repealed.	38 & 39 Vict. c. 40. (Municipal Elections.)
(20) 36 & 37 Vict. c. 48. Regulation of Railways.	The whole Act.	37 & 38 Vict. c. 40. (Part II.)
(21) 38 & 39 Vict. c. 48. Police Expenses.	The whole Act.	——
(22) 38 & 39 Vict. c. 84. Returning Officers Expenses.	The whole Act.	——
(23) 39 & 40 Vict. c. 21. Juries (Ireland).	The whole Act.	——
(24) 41 & 42 Vict. c. 41. Returning Officers Expenses (Scotland).	The whole Act.	——
(25) 41 & 42 Vict. c. 72. Sale of Liquors on Sunday (Ireland).	The whole Act.	——
(26) 43 Vict. c. 18. Parliamentary Elections.	The whole Act so far as it is not repealed.	——

CHAPTER 41.

An Act to amend the Merchant Shipping Acts, 1854 to 1880, with respect to fishing vessels and apprenticeship to the sea fishing service and otherwise.

[25th August 1883.]

WHEREAS the enactments of the Merchant Shipping Acts, 1854 to 1880, with respect to fishing vessels, require amendment, and it is desirable to make further provision for the encouragement and regulation of the fishing trade:

And whereas it is expedient to amend the Acts relating to merchant shipping in certain particulars:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Title and construction of the Act.

1. This Act may be cited as the Merchant Shipping (Fishing Boats) Act, 1883.

This Act and the Merchant Shipping Acts, 1854 to 1880, the Merchant Shipping (Colonial) Act, 1869, and the Merchant Shipping (Colonial Inquiries) Act, 1882, may be cited collectively as the Merchant Shipping Acts, 1854 to 1883, and shall be construed as though they formed one Act. This Act shall not apply to Scotland.

Division of Act into parts.

2. This Act shall be divided into two parts, the first part relating to fishing boats and the sea fishing service, and the second part to miscellaneous matters.

Part I.

Fishing Boats and the Sea Fishing Service.

Application of the first part of this Act, and definitions.

3. Such portions of the first part of this Act as in any way relate to indentures of apprenticeship to the sea fishing service or agreements with boys under sixteen years of age with respect to such service shall apply to all fishing vessels of twenty-five tons register tonnage and upwards; and such portions of the first part of this Act as in any way relate to discipline, or the settlement of disputes between a skipper or owner and a seaman, or to deaths, injuries, punishments, ill-treatment, and casualties, and section twenty-five shall apply to all fishing boats and to the whole fishing service. The remainder of the first part of the Act shall apply to trawlers of twenty-five tons register tonnage and upwards only, and to no other fishing boats.

The Board of Trade, by order under the hand of the President of the Board of Trade, to be published in the "London Gazette," may exempt any class of such trawler or trawlers belonging to any port from the whole or any portion of the said part of this Act from the date in such order mentioned, and may in like manner extend all or any of the provisions of the said part of this Act to any fishing boats in such order referred to, and may in like manner from time to time revoke, alter, or amend any order made by the Board as aforesaid. The Board of Trade may, before making any order under this section, institute such inquiry as in their opinion may be required for the purpose of enabling them to make such order by such person or persons as the President may appoint

for the purpose, and the person or persons so appointed shall have power to take evidence on oath or otherwise, and shall have all the powers of an inspector appointed under the First Part of the Merchant Shipping Act, 1854.

In this Act "fishing boat" means a vessel for the time being employed in the sea fishing service, but shall not include a boat used by its navigators for catching fish otherwise than for profit. The onus of establishing any exemption or exception under or in the said part of this Act shall be upon the person or persons claiming or asserting such exemption. The "second hand" of a fishing boat in this Act means the mate or person next to the skipper in authority or command on board of her.

The registered tonnage of a fishing boat registered under the Merchant Shipping Acts, 1854 to 1883, and in the case of an unregistered fishing boat a certificate stating her register tonnage (ascertained according to the methods sanctioned by the said Acts for the ascertainment of a ship's register tonnage) and purporting to be given under the hand of a Board of Trade surveyor, shall be conclusive of the tonnage of such boat.

Apprenticeship to the Sea Fishing Service and Agreements with Boys under Sixteen with respect to such Service.

Apprenticeship indentures and agreements with boys under 16 how to be entered into.

4. All indentures of apprenticeship to the sea fishing service, and all agreements with boys under sixteen years of age with respect to such service, shall be entered into before a superintendent of a mercantile marine office, who, before allowing the same to be completed, shall satisfy himself that the indenture or agreement complies with all the requirements of this Act, and that the master to whom the boy is to be bound is a fit person for the purpose, and that the boy is not under thirteen years of age, and is of sufficient health and strength, and that the nearest relations of the boy or his guardian or guardians assent to the boy's being apprenticed (in the case where the boy is apprenticed), and to the stipulations in the indenture or agreement, and shall make and sign an endorsement that he is so satisfied on the indenture or agreement. Where the nearest relations or guardian or guardians cannot readily be found, or are not known, or if there are none, the superintendent shall act as guardian for the occasion and state in the said endorsement that he has so acted. The said endorsement shall be evidence of the facts therein stated, and the superintendent's signature or appointment as superintendent shall not require proof. All such indentures or agreements shall be in triplicate, one to be kept by the master, one by the boy, and one by the superintendent.

Indentures of apprenticeship and agreements to contain provisions set forth in second schedule, otherwise to be void.

5. All such indentures of apprenticeship or agreement as are in section four referred to shall be in the forms in the second schedule to this Act set forth, and shall contain all the covenants, provisions, stipulations, and certificates set forth in the said forms in the second schedule, and also the endorsements on the forms in the said schedule, and the directions therein shall be complied with.

Her Majesty may from time to time, on the recommendation of the Board of Trade, by Order in Council annul, modify, or alter any of the said covenants, provisions, stipulations, or certificates, or make

new covenants, provisions, stipulations, or certificates in addition thereto, or in substitution therefor, and any alterations or modifications in or additions to or substitutions for such covenants, provisions, stipulations, or certificates made in manner aforesaid shall be of the same force as the covenants, provisions, stipulations, and certificates in the said schedule.

Limits of age for lads employed in sea fishing.

6. No boy under the age of thirteen years shall enter into any indenture of apprenticeship to the sea fishing service, or agreement with respect to such service. Every indenture or agreement entered into contrary to this section shall be void.

Penalty on persons receiving money for binding apprentice.

7. Every person who receives any money or valuable consideration from the person to whom a boy is bound apprentice to the sea fishing service, or to whom a boy under sixteen years of age is bound by any agreement with respect to the sea fishing service, or from anyone on his behalf, or from the boy or anyone on his behalf, in consideration of the boy being so bound, and every person who makes or causes to be made any such payment shall be guilty of a misdemeanor, whether such boy was or was not validly bound apprentice or was or was not validly bound by such agreement.

Indentures and agreements with boys to be void if not entered into before a superintendent of mercantile marine.

8. Every such indenture of apprenticeship or agreement as aforesaid with respect to the sea fishing service not complying with the provisions of this Act or not entered into before a superintendent of a mercantile marine office and endorsed by him as aforesaid, or otherwise not made as by this Act required, shall be void, and the person to whom such indenture or agreement purported to bind the boy shall, if he takes or causes the boy to be taken to sea, be liable to a penalty not exceeding twenty pounds. Every person who takes or causes to be taken to sea for the purpose of serving in some capacity connected with the sea fishing service a boy not bound by an indenture or agreement as aforesaid, or purporting to be bound by an indenture or agreement which is void under this Act, shall, for every such offence, incur a penalty not exceeding twenty pounds. Nothing in this Act shall prevent the daily employment in a fishing boat of any boy under sixteen years of age, who is under no obligation to remain in such employment for a longer period than one day, and with whom no written agreement has been made.

Penalty for taking boy to sea under void indenture or agreement, and powers of superintendent in such case.

9. The superintendent of a mercantile marine office at the port from which a boy is taken to sea may, for the benefit of the boy, if he thinks it just so to do, enforce by action or other appropriate legal proceedings brought or taken in his own name against the master, all or any of the stipulations in a void indenture or agreement which are in favour of the boy to such extent as he may deem just, and may (so far as necessary) apply any sums recovered by him in payment of the costs of recovering the same, and if there is no superintendent at such port, then the superintendent of the nearest port shall have the same powers.

Power of mercantile marine superintendents to enforce indentures or agreements.

10. The superintendent of the mercantile marine office before whom an indenture of apprenticeship or agreement as aforesaid with respect to the sea fishing service is completed, or his successor may, if he thinks fit, by action or other appropriate legal proceedings, brought or taken in his name, enforce on behalf of the boy against the master the stipulations in such indenture or agree-

ment, and may (so far as necessary) apply any sums recovered by him in payment of the costs of recovering the same, and the superintendent of a mercantile marine office referred to in the apprenticeship indentures and agreements entered into under this Act shall have and when necessary execute the powers and authority therein given to them.

Shipping masters to assist in binding apprentices and making agreements, and to be under the control of the Board of Trade.

11. All superintendents of mercantile marine offices shall when applied to by any person desirous of entering into indentures of apprenticeship to the sea fishing service or agreements with respect to such service under this Act, or desirous of causing the same to be entered into, render such assistance as in their power in reference thereto, and supply forms of articles or agreements at such reasonable rates (if any) as the Board of Trade may fix and may take from masters such fees (if any) as the said Board may fix in respect of articles or agreements entered into before them.

All such indentures and agreements shall be exempt from stamp duty.

Superintendents of mercantile marine offices shall, in carrying out this Act be subject to the control of the Board of Trade, and shall obey any directions the Board of Trade may think fit to give to them.

Guardians and overseers of the poor to apprentice in conformity with this Act.

12. Guardians and overseers of the poor and persons having the authority of guardians or overseers of the poor desirous of apprenticing boys to the sea-fishing service, shall not permit or cause articles of apprenticeship for that purpose to be entered into, except in conformity with the provisions of this Act.

Agreements with Seamen.

Agreements to be made with seamen containing certain particulars.

13. The skipper of every fishing boat shall enter into an agreement with every seaman (not being a boy under such an agreement as is by this Act required) whom he carries to sea from any port in the United Kingdom as one of his crew; and every such agreement shall be in a form sanctioned by the Board of Trade, and shall be dated on the date of the first signature thereof, and shall be signed by the skipper before any seaman signs the same, and shall contain the following particulars as terms thereof, that is to say:—

1. The nature, and as far as practicable, the duration of the intended voyage or engagement:
2. The number and description of the crew:
3. The time at which each seaman is to be on board or to begin work:
4. The capacity in which each seaman is to serve:
5. The remuneration which each seaman is to receive, whether in wages or by a share in the catch, or in both ways, and the time from which each seaman's remuneration is to commence:
6. A scale of the provisions which are to be furnished to each seaman:
7. Any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct which have been sanctioned by the Board of Trade as regulations proper to be adopted, and which the parties agree to adopt:

And every such agreement shall be so framed as to admit of stipulations, to be adopted at the will of the skipper and seaman in each case, as to advance and allotment of wages, and may contain any other stipulations which are not contrary to law.

Manner of entering into agreements.

14. The following rules shall be observed with respect to agreements (that is to say):—

1. Every agreement made in the United Kingdom shall be signed by each seaman:
2. The skipper shall cause the agreement to be read over and explained to each seaman, or otherwise ascertain that each seaman understands the same before he signs it, and shall attest each signature:
3. When the crew is first engaged the agreement shall be signed in duplicate, and one part shall be sent by the skipper to the superintendent of the mercantile marine office at the port of departure and retained by him, and the other part shall contain a special place or form for the descriptions or signatures of substitutes, or persons engaged subsequently to the first departure of the fishing boat, and shall be retained by the skipper:
4. In the case of substitutes engaged in the place of seamen who have duly signed the agreement, and whose services are lost after the fishing boats putting to sea, by death, desertion, the failure of any seaman duly engaged to join, or other unforeseen cause, the skipper shall, before the fishing boat puts to sea, if practicable, and if not, as soon afterwards as possible, cause the agreement to be read over and explained to the seamen, and the seamen shall thereupon sign the same in the presence of the skipper who shall attest their signatures.

Special agreements may be made for several fishing boats belonging to the same owners, and owners may enter into agreements instead of skippers.

15. The agreement with the seamen may be made by the owner (or, in the case of there being several owners, the registered managing owner) instead of by the skipper, and the seamen may be engaged to serve in any two or more vessels belonging to the same owner, provided that the names of the vessels and the length and nature of the service and the rate, periods, and method of payment are specified in the agreement, and with the foregoing exceptions, all provisions of this Act which relate to ordinary agreements for fishing boats shall be applicable to agreements made in pursuance of this section as if the owner were therein named instead of the skipper, and every person engaged thereunder shall be discharged in the manner by this Act required for the discharge of seamen belonging to fishing boats.

Fishing boats making short voyages may have running agreements.

16. In the case of fishing boats making voyages averaging less than six months in duration, running agreements with the crew may be made to extend over two or more voyages or any number of weeks, so that no such agreement shall extend beyond the next following 30th day of June or 31st day of December, or the first arrival of the fishing boat at her port of destination in the United Kingdom after such date or the discharge of cargo consequent upon such arrival; with the foregoing exception, all provisions of this Act which relate to ordinary agreements for fishing boats shall be applicable to agreements made in pursuance of this section, and every person engaged thereunder shall be discharged in the man-

ner by this Act required for the discharge of seamen belonging to fishing boats.

Engagement and discharge of seamen pending a running agreement.

17. The skipper of every fishing boat for which such a running agreement as aforesaid is made, shall, upon every return to a port in the United Kingdom before the final termination of the agreement, discharge or engage in accordance with the provisions of this Act any seaman whom he discharges or engages at such port, and shall upon every such return indorse on the agreement a statement (as the case may be) either that no such discharges or engagements have been made or are intended to be made before the fishing boat again leaves port, or that all such discharges or engagements have been duly made as herein-before required, and shall sign the same. Any skipper who knowingly makes a false statement in such indorsement shall incur a penalty not exceeding five pounds.

Definition of "voyage" of a fishing boat.

18. In this Act a voyage of a fishing boat shall mean a fishing trip commencing with a departure from a port for the purpose of fishing, and ending with the first return to a port thereafter upon the conclusion of the trip. A return due to distress only shall not be deemed to be a return if it is followed by a resumption of the trip.

Reports of a fishing boat's crew on a voyage to be made.

19. The owners of every fishing boat shall within forty-eight hours of the fishing boat's departure from port on any voyage send or cause to be sent to the superintendent of the mercantile marine office at the port of departure a true report, in a form to be sanctioned by the Board of Trade, stating the names of the skipper, seamen, and apprentices who have gone to sea in her, and containing such other particulars as the said Board may require, and signed by an owner or the registered managing owner. Where the sole or the registered managing owner or all the owners of a fishing boat goes or go to sea in her on the voyage, or the voyage commences at a port where there is no owner or registered managing owner, the said report may be made and signed on his or their behalf by his or their agent for that purpose.

For every non-compliance with the requirements of this section, each owner and the registered managing owner (if any) shall incur a penalty not exceeding five pounds.

Penalty for shipping seamen without agreement duly executed.

20. If in any case a skipper carries to sea any seaman with whom no agreement has been entered into in the form and manner and at the place and time by this Act in such case required, the skipper shall for each seaman so carried to sea incur a penalty not exceeding five pounds.

Changes in crew to be reported.

21. The skipper of every fishing boat shall before finally leaving any port for sea during the continuance of a running agreement after the first making of the same, sign and send to the nearest superintendent of a mercantile marine office a full and accurate statement in a form sanctioned by the Board of Trade of every change which has taken place in his crew, and in default shall for each offence incur a penalty not exceeding five pounds, and such statement shall be evidence of the matters therein stated pursuant to this section.

Alterations, &c. in agreements to be void unless attested.

22. Every erasure, interlineation, or alteration in any such agreement as is required by this Act (except additions so made as herein-before directed for shipping substitutes or persons engaged

subsequently to the first departure of the fishing boat) shall be wholly inoperative unless proved to have been made with the consent of all the persons interested in such erasure, interlineation, or alteration.

Penalty for falsifying or delivering false copy of an agreement.

23. Every skipper who fraudulently alters or is privy to the fraudulent altering or makes or is privy to the making of any false entry in, or delivers or is privy to the delivering of a false copy of, any such agreement as is required by this Act, shall for each such offence incur a penalty not exceeding twenty pounds.

Wages and Discharge of Seamen.

Skipper to deliver accounts of wages.

24. Every owner or skipper shall, not less than four hours before paying off or discharging any seaman, unless the seaman gives notice to the skipper that he does not require it, deliver to him a full and true account in a form sanctioned by the Board of Trade of his wages (not being a share in the catch), and of all deductions to be made therefrom on any account whatever, and in default shall for each offence incur a penalty not exceeding five pounds, and no deduction from the wages of any seaman (except in regard of matters happening after such delivery) shall be allowed unless it is included in the account so delivered.

Seamen to have inspection of owner's accounts and books relating to catch.

25. Where any seaman is under the agreement to be paid by a share in the catch, and any dispute arises as to his share, such seaman shall be entitled to inspect at all reasonable times the owner's accounts and books relating to such catch, and if any owner refuses or neglects to submit such accounts or books to such seaman's inspection upon demand made at a reasonable time he shall for each offence incur a penalty not exceeding twenty pounds.

Skipper to give seamen certificate of discharge.

26. Upon the discharge of any seaman, or upon payment of his wages, the skipper shall sign and deliver to him a certificate of his discharge, in a form sanctioned by the Board of Trade, specifying the period of his service, and the time and place of his discharge, and if any skipper fails to sign and deliver to any such seaman such certificate of discharge, he shall for each such offence incur a penalty not exceeding five pounds.

Seamen discharged without fault to recover compensation in same manner as wages.

27. Every seaman who has signed an agreement and is discharged before the commencement of the voyage, or at any time during the voyage or engagement without fault on his part justifying the discharge, and without his consent, shall be entitled to recover in addition to an amount of wages proportionate to the time he has served sufficient compensation for the damage thereby caused to him in the same manner as wages would be recoverable by him.

Discipline.

Offences of seamen and apprentices, and their punishment.

28. Whenever any seaman who has been lawfully engaged to serve on any fishing boat, or any apprentice to the sea fishing service commits any of the following offences, he shall be liable to be punished summarily as follows:—

Desertion.

(1.) For desertion he shall be liable to forfeit all or any part of the clothes and effects he leaves on board, and all or any part of the wages or emoluments which he has then earned, and to satisfy any excess of wages paid by the skipper or owner of the fishing boat from which he deserts to any substitute

engaged in his place at a higher rate of wages than the rate stipulated to be paid to him.

Neglect or refusal to join or proceed to sea, and absence without leave.

(2.) For neglecting or refusing without reasonable cause to join his fishing boat, or to proceed to sea in his fishing boat, or for absence without leave at any time within twenty-four hours of the boat's sailing from any port, either at the commencement or during the progress of the engagement or for absence at any time without leave and without sufficient reason from his boat, not amounting to desertion, or not treated as such by the skipper, he shall be liable to forfeit a sum not exceeding the amount of two days pay, and in addition for every twenty-four hours of absence either a sum not exceeding four days pay, or any expenses which have been properly incurred in respect of a substitute.

Quitting boat before it is in security.

(3.) For quitting the boat without leave after her arrival in port, and before she is placed in security, he shall be liable to forfeit a sum not exceeding two weeks pay.

Disobedience and neglect of duty.

(4.) For wilful disobedience to any lawful command during the engagement he shall be liable to imprisonment not exceeding four weeks, with or without hard labour, and also at the discretion of the court to forfeit a sum not exceeding two days pay.

Continuous disobedience or neglect of duty.

(5.) For continued wilful disobedience to lawful commands during the engagement or continued wilful omission to do his duty during the engagement he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labour, and also at the discretion of the court to forfeit for every twenty-four hours continuance of such disobedience or omission, either a sum not exceeding six days pay, or any expenses which have been properly incurred in respect of a substitute.

Assaults.

(6.) For assaulting any skipper or second hand he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labour.

Combinations to disobey or neglect duty.

(7.) For combining with any other or others of the crew to disobey lawful commands, or to neglect duty, or to impede the navigation of the boat, or the progress of the trip, he shall be liable to imprisonment for any period not exceeding twelve weeks with or without hard labour.

Damage to boat or stores or cargo and embezzlement.

(8.) For wilfully damaging the boat or embezzling or wilfully damaging any of her stores or cargo he shall be liable to forfeit a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, to imprisonment for any period not exceeding twelve weeks, with or without hard labour.

Smuggling.

(9.) For any act of smuggling of which he is convicted and whereby loss or damage is caused to the skipper or owner, he shall be liable to forfeit such a sum as is sufficient to reimburse the master or owner for such loss or damage.

The court (before which the offender is prosecuted) may order any sums of money which a seaman or apprentice has forfeited under this section to be deducted from any wages coming to him in respect of service as a seaman or apprentice, and (if they think fit) that the forfeiture shall be for the benefit of the person by whom the wages

are payable, or the person who has been injured by the commission of the offence in respect whereof the forfeiture accrued.

In the case of apprentices and boys serving under such an agreement as is by this Act required, paragraphs (4), (5), (6), and (7) of this section shall apply to them when ashore as well as when on board. Refusing or neglecting to go to sea or desertion shall in no way relieve a seaman or apprentice from any punishment he may have incurred under paragraphs (4), (5), or (7) of this section, but in addition to any such punishment, he may be punished for an offence or offences under paragraphs (1) and (2) thereof, or either of them.

Questions of forfeiture may be decided in suits for wages.

29. Any question concerning the forfeiture of sums which may be deducted from the wages of any seaman or apprentice, or concerning deductions therefrom, may be determined in any proceeding lawfully instituted with respect to such wages, and may be so determined notwithstanding that the offence in respect of which such question arises, though made punishable by imprisonment as well as forfeiture, has not been made the subject of any criminal proceeding.

How things forfeited are to be disposed of.

30. All clothes, effects, wages, and emoluments, which are forfeited for desertion, shall be applied in the first place towards the reimbursement of the expenses occasioned by such desertion to the skipper or owner of the fishing boat from which the desertion has taken place, and in any legal proceedings relating to such wages the court may order the same to be applied accordingly, and may order the things forfeited to be sold in cases where the things forfeited do not consist of money, and the proceeds of such sale shall be applied in manner aforesaid.

Subject to such reimbursement and to the provisions of this Act the things forfeited or the proceeds thereof (as the case may be) and all forfeitures under this Act shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Commissioners of the Treasury may direct, and shall be carried to and form part of the Consolidated Fund of the United Kingdom.

Deserters and others may be sent back to their boats.

31. Whenever any seaman or apprentice is brought before any court on the ground of his having neglected or refused to join or to proceed to sea in any fishing boat in which he has engaged to serve, or of having deserted or otherwise absented himself therefrom without leave, the court may at the request of the owner or skipper or his agent, in addition to or in lieu of imposing any punishment he may have incurred, cause him to be conveyed on board for the purpose of fulfilling his engagement or deliver him to the skipper to be so conveyed by him, and may order any costs or expenses properly incurred to be paid by the offender, and if necessary to be deducted from any wages which he has then earned, or which he may thereafter earn under the engagement aforesaid.

How seamen and apprentices deserting, or neglecting or refusing to join or proceed to sea or absent without leave, or guilty of

32. The superintendent of a mercantile marine office, or the principal Board of Trade officer at a port or district, and their respective deputies may, upon the information (made, if such superintendent, principal officer, or deputy so requires, on oath or affirmation according to law,) of the owner, skipper, second hand, or agent of a fishing boat issue a warrant under his hand in such form as shall be sanctioned by the Board of Trade for the apprehension of any

disobedience or neglect of duty, may be dealt

seaman or apprentice charged with an offence under paragraphs (1), (2), (4), (5), and (7) of section twenty-eight of this Act, or any of them. Such warrant shall be executed by any police officer or constable of the county or borough where the offender may be, and shall continue valid for ninety-six hours from the time indorsed on the same by the person granting the same.

The seaman or apprentice when apprehended shall be brought by such police officer or constable without delay before the persons above named or one of them, who shall make inquiry then and there into the reasons alleged by the seaman or apprentice for doing the acts, or omitting to do the acts, of which he is accused, and should they seem to him to be insufficient the seaman or apprentice shall be ordered to join his fishing boat and resume his duty. On his refusal to comply the person apprehended shall be ordered by the superintendent, principal officer, or deputy aforesaid to be detained and taken with convenient speed before such justices as have jurisdiction to hear and determine the charge brought against him, and upon which he was apprehended, in order that they may proceed with reference to the said charge, and hear and determine the same in due course of law. Should the reason alleged by the seaman or apprentice seem sufficient to the person aforesaid, he shall forthwith discharge him. No charge or information made or laid before such superintendent, or principal officer, or deputies need be reduced to writing, and such superintendent, principal officer, or deputies may take the evidence on oath or affirmation according to law (if they deem it desirable) of such persons other than the seaman or apprentice as may be able and willing to give information concerning the matters in question, and for that purpose shall have all the powers given by the Merchant Shipping Acts, 1854 to 1883, to an inspector appointed under the first part of the Merchant Shipping Act, 1854.

Any warrant issued as aforesaid shall be good and effectual in law if in the form aforesaid, and filled in reasonably in accordance with the directions in such form contained.

No person shall be liable to an action for anything done pursuant to such warrant aforesaid or under the order of such superintendent principal officer or their deputies aforesaid.

Such a warrant as is above mentioned shall not be avoided by reason of the person issuing the same dying or ceasing to hold office.

Whenever any seaman or apprentice engaged or liable to serve on any fishing boat neglects, or refuses to join, or deserts from, or refuses to proceed to sea in, or absents himself without leave from such fishing boat, the skipper, owner, or boat's husband may, with or without the assistance of the local police officers and constables (who are to give their assistance in such cases when required to do so by the master, owner, or boat's husband) take and convey such seaman or apprentice before such superintendent, principal officer or deputy as aforesaid, and thereupon such seaman or apprentice shall be dealt with as if he had been arrested under a warrant issued under this section.

Notice by seaman that he intends to absent himself

33. If a seaman (not being a boy who has entered into such an agreement as is by this Act required) intends to absent himself from his fishing boat or his duty, he may give notice of his intention

either to the owner or skipper of the boat not less than forty-eight hours before the time at which he ought to be on board his fishing boat, and if such notice is duly given he shall not be compelled to go or be brought on board for the purpose of proceeding with the voyage or engagement: Provided always, that no such notice shall be given at a time when the seaman is at sea.

from his ship and effect thereof.

34. Seamen's and apprentices wages shall be deemed to accrue from day to day.

How wages are to accrue and to be calculated.

When wages are contracted for by the voyage or trip or the season or by the share, and not by a stated period of time, the amount which shall be deemed to accrue from day to day shall be an amount equal to the wages for the whole voyage or trip or season, or the whole share divided by the number of days occupied in the voyage or trip or season: Provided always, that a seaman or apprentice shall not be entitled to more than what his share of the profits or catch made during the period he has actually served may or would have amounted to.

If the whole time spent in the voyage or trip does not exceed the period for which the pay is to be forfeited by the seaman or apprentice the forfeiture shall extend to the whole wages or share.

Forfeiture of whole if voyage or trip shorter than period of forfeiture.

35. Whenever a question whether the wages or emoluments of any seaman or apprentice are forfeited for desertion arises, it shall be sufficient for the party insisting on the forfeiture to show that such seaman or apprentice was duly engaged under this Act, and that he belonged to the fishing boat from which he is alleged to have deserted, and that he quitted such boat before the completion of the voyage or engagement; and thereupon such desertion shall, so far as relates to any forfeiture of wages or emoluments for desertion, be deemed to be proved unless the seaman or apprentice can produce a proper certificate of discharge, or can otherwise show to the satisfaction of the court that he did not desert.

Facilities for proving desertion so far as concerns forfeitures of wages.

Certificates to Skippers and Second Hands.

36. Whereas persons desirous of acting as masters or skippers or as mates or second hands of fishing boats or of a particular class of fishing boats have obtained from the Board of Trade certificates to the effect that they are competent to act as master or skipper or as mate or second hand of fishing boats or of a particular class of fishing boats, be it enacted that all such certificates as aforesaid heretofore issued by the Board of Trade shall be deemed to have been granted under the Third Part of the Merchant Shipping Act, 1854.

Certificates for fishing boats heretofore granted to be deemed to have been granted under 17 & 18 Vict. c. 104., Part III.

37. The Board of Trade may issue certificates under section one hundred and thirty-four of the Merchant Shipping Act, 1854, to the effect that the holder thereof is competent to act as skipper or as second hand of fishing boats or of a particular class of fishing boats in every case according to the report made by the local examiners with reference to the applicant for a certificate, and according as the Board of Trade may from time to time prescribe in any rules made by them under the one hundred and thirty-second section of the Merchant Shipping Act, 1854: Provided that no skipper's certificate shall be granted to any one who has not previously held a certificate as second hand for at least twelve months.

Power of Board of Trade to issue certificates for fishing boats.

Availability of certificates referred to in this Act.

38. Every such certificate as in this Act referred to shall only entitle the person to whom it is given to be an officer of the class of fishing boats referred to in the certificate and none other, and of the grade therein named, or of a lower grade and of none other.

Provisions in the Merchant Shipping Acts to apply to certificates referred to in this Act.

39. All the provisions contained in the Acts relating to merchant shipping, with respect to or connected with the examination of applicants for certificates and the granting thereof, and the suspension and cancellation thereof, and inquiries and investigations into the conduct of the holders thereof, and all other provisions whatsoever in the said Acts relating to or connected with certificates of masters or mates, shall be deemed to have applied and shall apply to the certificates referred to in this Act and the holders thereof as if such certificates had been granted under the Third Part of the Merchant Shipping Act, 1854, and the holders thereof shall be entitled and subject to such privileges and liabilities as they would be entitled or subjected to if such certificates had been granted under the Third Part of the Merchant Shipping Act, 1854.

Certificates of service to be given to certain skippers of fishing boats.

40. Certificates of service differing in form from certificates of competency shall be granted by the Board of Trade as follows:—

Every person who has before the first day of September one thousand eight hundred and eighty-three served as skipper or second hand in fishing boats to which this part of this Act applies or is applied, or such other fishing boats as the Board of Trade may think have afforded the person sufficient experience, for a period amounting in all to not less than twelve months, shall be entitled to a certificate of service as skipper or second hand (as the case may be) of a fishing boat: Provided that if he has been exclusively employed in a particular class or classes of such fishing boats the certificate shall be limited to such class or classes of fishing boats.

Every such certificate of service shall contain particulars of the name, place, and time of birth, and of the length and nature of the previous service of the person to whom the same is given, and the Board of Trade shall deliver such certificate of service to a person entitled thereto upon his proving to the satisfaction of the Board of Trade that he has served as aforesaid, and has been generally well conducted on board of the boats on which he has served as aforesaid.

Board of Trade may establish a register of certificates.

41. The Board of Trade may establish a register of skippers and second hands certificated as in this Act referred to, to be kept by such person as the Board of Trade shall direct, and to be in such form and to contain such particulars as the Board of Trade may from time to time direct. A copy of or extract from the said register or the register of British shipping at any port or of fishing boats at any port purporting to be certified by the person having the custody thereof, or his deputy or assistant, shall be legal evidence of the matters therein stated; a certificate purporting to be given under the hand of one of the persons aforesaid to the effect that the person or matter therein named has not been registered in the register therein mentioned shall be evidence of the non-registration thereof, and where the question to be determined is whether the person named has been certificated as in this Act referred to as a skipper or second hand of his not being so certificated.

Copy or extract from register or register of shipping at any port to be evidence.

A certified copy or extract or certificate as aforesaid shall be supplied to any person applying at a reasonable time for the same

upon payment of such fee as the Board of Trade may from time to time determine.

No fishing boat to proceed to sea without duly certificated skipper, and penalty for so doing.

42. After the first day of January one thousand eight hundred and eighty-four no fishing boat shall go to sea from any port in the United Kingdom unless the skipper thereof is the holder of a certificate of competency or service entitling him under this Act to act as skipper of such fishing boat.

If any fishing boat goes to sea contrary to this section the owner thereof shall incur for each such offence a penalty not exceeding twenty pounds. Every person who, having been engaged to serve as skipper of a fishing boat, and not being the holder of a certificate entitling him under this Act to act as skipper of such boat, serves as such skipper (except in case of necessity), and every person who employs any person as skipper of a fishing boat (except in case of necessity) without having ascertained that he is the holder of a certificate entitling him under this Act to act in such capacity as aforesaid, shall for each such offence incur a penalty not exceeding twenty pounds.

Enactments relating to Deaths, Injuries, Punishments, Ill-treatment, and Casualties.

Skipper of fishing boat to record cases of death, injury, or ill-treatment.

43. The skipper of a fishing boat shall keep in such form as may be sanctioned by the Board of Trade a record of every case of death, injury, ill-treatment, or punishment which may occur with respect to any member of his boat's crew during the time they are at sea or to any person on board of his boat, and of every casualty to his fishing boat or any boat belonging to her. Such record shall contain such particulars in relation to the above cases as the Board of Trade shall require. The skipper shall produce the record kept by him to any superintendent of a mercantile marine office whenever he requires its production, and shall also send the same to the superintendent of the mercantile marine office at the port to which the boat belongs at such periods as the Board of Trade may require by any directions endorsed in the forms sanctioned by them.

A master who does not comply with any one of the requirements of this section shall for each case of non-compliance forfeit a sum not exceeding twenty pounds.

Skippers to make special reports of deaths, injuries, ill-treatment, punishments, and casualties.

44. The skipper of every fishing boat shall make a report in a form sanctioned by the Board of Trade, stating whether any and what cases of death, injury, ill-treatment, or punishment have occurred with respect to any member of his boat's crew during the time they were at sea or to any person on board of his boat, and whether any and what casualties to his fishing boat or any boat belonging to her have occurred, and such other particulars in relation to the matters aforesaid as may be prescribed in the forms to be sanctioned by the Board of Trade.

The above reports shall be made to the superintendent of the mercantile marine office of the port in the United Kingdom at which the boat's voyage ends within twenty-four hours of the boat's arrival in such port.

Every skipper who makes any default in complying with the requirements of this section shall incur a penalty not exceeding twenty pounds.

Inquiry into cause of death, injury, ill-treatment, punishment, or casualty.

45. Whenever any such case of death, injury, ill-treatment, or punishment, or any such casualty as is in the preceding two sections referred to, has happened or is supposed to have happened, the superintendent of the mercantile marine office at or nearest to the port where the fishing boat arrives after the happening thereof, or where the boat belongs, may inquire into the particulars and cause of the death, injury, ill-treatment, punishment, or casualty, and may, in cases where a report as aforesaid is delivered to him, make an indorsement thereon to the effect either that the statement relating to the death, injury, ill-treatment, punishment, or casualty therein contained is in his opinion true or otherwise, or to such effect as in his opinion the information in his possession may warrant; and every such superintendent shall, for the purpose of such inquiry, have all the powers given by the Merchant Shipping Acts, 1854 to 1883, to inspectors appointed by the Board of Trade under the first part of the Merchant Shipping Act, 1854; and if in the course of such inquiry it appears to the superintendent that any such death, injury, ill-treatment, punishment, or casualty as aforesaid has been caused by or is accompanied by violence or the use of any improper means, he shall report the matter to the Board of Trade, and shall also, if the emergency of the case in his opinion so requires, take immediate steps for bringing the offender or offenders to justice, and may, if in his discretion he thinks it necessary, cause the offender or offenders to be arrested and thereafter dealt with in due course of law.

Disputes between Skippers or Owners and Seamen.

Superintendent of mercantile marine office to decide disputes between seamen and owners and masters.

46. Every superintendent of a mercantile marine office shall inquire into, hear, and decide any dispute between a skipper or owner of a fishing boat and a seaman of a fishing boat as to a seaman's wages, or share of the profits of the voyage or trip, or share of a fishing catch, or deductions therefrom, or concerning a seaman's engagement, service, or discharge, which either the seaman, owner, or skipper shall call upon him to decide, and his decision thereon shall be final and binding upon all persons, and shall, at the request of either party, be put into writing, and shall, when so put into writing, if it purports to be signed by him, be receivable as evidence of the decision and any facts therein stated in all legal proceedings whatsoever. Such decision may be enforced by any justice of the peace within whose jurisdiction the person against whom the decision is given has any goods, or may be, in the same manner as if such decision were an order made by justices in the exercise of their summary jurisdiction. A seaman may also sue for and recover any sum by such decision adjudged to be due to him in the manner in which he may sue for and recover wages due to him.

Master and others to produce documents to superintendent of mercantile marine office and to give evidence.

47. In every case where any dispute is referred to a superintendent of a mercantile marine office under this Act, he may call upon the owner of a fishing boat or his agent, or upon the skipper or any member of the crew of a fishing boat, or upon any other person, to produce any books, papers, or documents in their respective possession or power relating to any matter in question before him, and may summon before him and examine on oath or

affirmation according to law any of such persons being then in or near the port where his office is; and every owner, agent, skipper, member of the crew, or other person who when called upon by such superintendent does not produce any such log-book, paper, or document as aforesaid which is in his possession or power, or does not appear, or refuses or neglects to give evidence, shall, unless he shows some reasonable excuse for such default, for each such offence incur a penalty not exceeding five pounds. For purposes connected with such dispute the superintendent shall have in addition to the powers aforesaid all the powers given by the Merchant Shipping Acts, 1854 to 1883, to an inspector appointed by the Board of Trade under the first part of the Merchant Shipping Act, 1854.

Part II.

Miscellaneous.

Seamen's lodging houses.

48. The sanitary authority within whose district any seaport town is situate may, with the sanction of the President of the Board of Trade, from time to time make, revoke, alter, and amend byelaws and regulations relating to seamen's lodging houses in such town which shall be binding upon all persons and bodies keeping houses in which seamen are lodged and the owners thereof and persons employed therein. Such byelaws and regulations shall amongst other things provide for the licensing of seamen's lodging houses, the inspection of the same, the sanitary conditions of the same, the publication of the fact of a house being licensed, the due execution of the byelaws and regulations and the non-obstruction of persons engaged in securing such execution, the preventing of persons not duly licensed holding themselves out as keeping or purporting to keep licensed houses, and the exclusion from licensed houses of persons of improper character, and sufficient penalties for the breach of such byelaws and regulations not exceeding in any case the sum of fifty pounds. All offences under such byelaws and regulations shall be deemed to be offences within the Merchant Shipping Acts, 1854 to 1883, and be punishable accordingly. Such byelaws and regulations shall come into force from a date therein named, and shall be published in the "London Gazette" and one newspaper at the least circulating in such town, to be designated by the President of the Board of Trade.

If the sanitary authority do not within a time to be from time to time named by the President of the Board of Trade make, revoke, alter, or amend byelaws and regulations, the President of the Board of Trade may do so.

The "sanitary authority" means in England the local authority under the Public Health Act, 1875, and in the metropolis as defined by the Metropolis Management Act, 1855, the Metropolitan Board of Works, and in Scotland the local authority under the Public Health (Scotland) Act, 1867, and in Ireland the sanitary authority under the Public Health (Ireland) Act, 1878.

Whenever Her Majesty by Order in Council, to be published in the "London Gazette," shall think fit to order that in any seaport town or any part thereof none but persons duly licensed under byelaws and regulations to be made under this section shall keep

seamen's lodging-houses or let lodgings to seamen from a date therein named, any person acting in contravention of such order shall be guilty of an offence, and shall forfeit a sum not exceeding one hundred pounds. Such offence shall be deemed to be an offence within the Merchant Shipping Acts, 1854 to 1883, and be punishable accordingly.

Her Majesty may, by Order in Council, to be published in like manner, from time to time revoke, alter, or amend any such order as aforesaid.

A sanitary authority may defray all expenses incurred by it in the execution of this section out of any funds at its disposal as the sanitary authority of the seaport town, and penalties recovered under the byelaws and regulations or this section shall be added to such funds.

Any byelaws heretofore made for any seaport town under section nine of the Merchant Seamen (Payment of Wages and Rating) Act, 1880, shall continue in force until byelaws and regulations made for such town under this section come into force.

Declaration of the meaning of 17 & 18 Vict. c. 104. s. 109.

49. An unregistered British ship (which ought to be registered under the Merchant Shipping Act, 1854) shall for the purposes of section one hundred and nine of the Merchant Shipping Act, 1854, be deemed to have been registered in the United Kingdom.

Incorporation of Part I. of 17 & 18 Vict. c. 104.

50. The first part of the Merchant Shipping Act, 1854, is to be deemed to be incorporated with this Act, and shall be applicable to the provisions thereof.

Legal proceedings in cases of offences.

51. For the purpose of jurisdiction, punishment, and legal proceedings and procedure, all offences under this Act shall be deemed to be offences under the Merchant Shipping Acts, 1854 to 1883, and every of them.

Fishing tenders to be trawlers.

52. Vessels employed as tenders or carriers to fishing boats or for the purpose of collecting and conveying to the land the catch of fishing boats, shall for the purposes of this Act be deemed to be trawlers.

Vessels engaged in certain fisheries to be deemed to be foreign-going ships

53. Ships engaged in the whale, seal, walrus, or Newfoundland cod fisheries shall be deemed to be foreign-going ships within the Merchant Shipping Acts, 1854 to 1883, and not fishing vessels: Provided that the ships engaged in the Newfoundland cod fisheries do not belong to ports in Canada or Newfoundland.

17 & 18 Vict. c. 104. s. 243 and s. 35 of this Act not to take away remedy for breach of contract.

54. Nothing in the two hundred and forty-third section of the Merchant Shipping Act, 1854, or in section twenty-eight of this Act shall be deemed to have taken away or to limit any remedy by action or by summary procedure before justices which an owner or master would have but for the said sections for any breach of contract in respect of the matters constituting an offence under the said sections, but no owner or master shall be compensated more than once in respect of the same damage.

Repeal of enactments, and saving.

55. The enactments in the First Schedule to this Act are hereby repealed to the extent therein specified.

No repeal effected by this section shall in any manner whatsoever affect any right accrued, liability, forfeiture, or penalty incurred, any offence committed, or anything done or omitted to be done before the passing of this Act, nor any legal proceedings commenced or hereafter to be commenced with respect to such right,

liability, forfeiture, penalty, offence, or thing done or omitted to be done. The repeal effected by this section shall not repeal any enactment so far as the same extends to Scotland.

FIRST SCHEDULE.*

ENACTMENTS REPEALED. Section 55.

Session and Chapter.	Title.	Extent of Repeal.
17 & 18 Vict. c. 104.	Merchant Shipping Act, 1854.	Sections 141, 142, 143, 144, 149, 163, 164, 166, 167, 171, 172, 173, 174, 243, 269. So far as these sections are applicable to fishing boats. In section 280 the words "(except ships employed exclusively in trading between ports on the coasts of the United Kingdom)."
25 & 26 Vict. c. 63. -	The Merchant Shipping Acts Amendment Act, 1862.	Section 13, paragraph (1).
36 & 37 Vict. c. 85. -	The Merchant Shipping Acts Amendment Act, 1873.	Section 8.
43 & 44 Vict. c. 16. -	Merchant Seamen (Payment of Wages and Rating) Act, 1880.	Section 9. Section 10 so far as this section is applicable to fishing boats.
50 Geo. 3. c. 108. -	- - - -	That part of the Act remaining unrepealed.

* This schedule must be amended if the substituted enactments are not carried.

SECOND SCHEDULE.

Apprenticeship Indenture. Section 5.

SEA FISHING SERVICE.

THIS INDENTURE, made_____day of_____18____, between _____aged_____ years, a native of_____, in the county of_____(herein-after called the "Apprentice,") of the first part, and_____of_____, in the county of_____ Owner of not less than eight sixty-fourth shares in (or Skipper (1) of) the Fishing Boat_____of_____ herein-after called the "Master," of the second part, WITNESSETH, That the said "Apprentice" hereby voluntarily binds himself Apprentice unto the said Master, his Executors, Administrators, and Assigns (which said Master, his Heirs, Executors, Administrators, and Assigns, are herein-after included in the term "Master") for the term of_____years from the date hereof.

(1.) And the said Apprentice hereby covenants and agrees that during such time, he, the said Apprentice, will faithfully serve his said Master, and obey his lawful commands, and keep his secrets, and will, when required, give to him true accounts of his goods and money which may be committed to the charge, or come into the hands, of the said Apprentice; and will, in case the said Apprentice enters Her Majesty's Service during the said term, duly account for and pay, or cause to (2) be paid, to his said Master, all such Wages, Prize Money, and other Moneys as may become payable to the said Apprentice for such service; and that the said Apprentice will not, during the said term, do any damage to his said Master, nor will he consent to any such damage being done by others, but will, if possible, prevent

Registered at the Port of _____, 18__
this _____ day of _____
Signed _____

the same, and give warning thereof; and will not embezzle or waste the Goods of his Master, nor give or lend the same to others without his licence; nor absent himself from his service without leave; nor frequent Taverns or Alehouses, unless upon his Master's business.

(2.) IN CONSIDERATION WHEREOF, the said Master hereby covenants and agrees with the said Apprentice, that he, the said Master, will and shall during the said term use all proper means to teach the said Apprentice or cause him to be taught the business of a Seaman and Fisherman,
(3) and will and shall provide the said Apprentice with sufficient Meat, Drink, Lodging, Washing, Medicine, and Medical and Surgical Assistance, Seabedding, Wearing Apparel, and Necessaries, and will and shall at the times and in the manner herein-after mentioned, pay to or on account of the said Apprentice the Spending-Money, Remuneration, and Payments referred to in the Endorsement marked A on the back hereof.

(3.) AND IT IS HEREBY AGREED, that all wearing apparel provided by the said Master for the use of the said Apprentice shall, during the said term, remain the property of the said Master, provided, however, that the
(4) said Apprentice shall, during such term, have full and undisputed right and title to the free and unfettered use thereof at all times for his own sole personal use and wear, but shall, prior to the expiration of the said term, acquire no right or title thereto for the purpose of selling, pledging, or otherwise disposing thereof; at the expiration of the apprenticeship the apparel shall become the apprentice's property.

(4.) And it is hereby further agreed, that the said Master shall not, during the said term, pay to the said Apprentice any wages or moneys wherewith to provide board and lodging for himself, but shall and will provide
(5) him with suitable and sufficient board and lodging to the satisfaction of the Superintendent of the Mercantile Marine Office at the port where the apprentice stays when on shore, or if there is not a superintendent at that port the superintendent at the next port thereto.

(5.) And it is hereby further agreed that all moneys to which the said Apprentice shall become entitled as Spending-Money shall be paid by the said Master, as they become due into the hands of the said Apprentice: Provided, however, that if the said Apprentice shall, through misconduct, have in the opinion of the said Superintendent forfeited his right to receive the same, the said moneys shall be paid to the said Superintendent, to be by him placed to the credit of the said Apprentice in the Seamen's Savings Bank; and that the Remuneration and Payments, as well as any
(6) Share of Salvage earned by the Vessel in which the Apprentice may be employed at the time such salvage is earned, referred to in the Endorsement marked A. on the back hereof, to which the said Apprentice shall become entitled, shall be forthwith paid by the said Master to the said Superintendent, and by him placed to the credit of the said Apprentice in the Seamen's Savings Bank, there to remain until the expiration or sooner determination of the term of Apprenticeship, subject nevertheless, to the deduction of any fine or forfeiture inflicted by a competent Court upon the said Apprentice, and of any fees paid by the said Master to the Mercantile Marine Office in respect of the said Apprentice:

(6.) And it is hereby further agreed and understood that the said Apprentice shall not be required to serve in any Smack or Vessel in which such Master is not during the continuance of such service himself serving as Master, Mate, or Seaman,
(7) or in which such Master, if not so serving, does not during the continuance of the said Apprentice's Service in such Smack or Vessel, possess an interest of at least one eighth of the value of such Smack or Vessel; and the said Superintendent may, in cases where the Master is, in his opinion, unable to provide the Apprentice with such service as is by this clause permitted, within a reasonable time cancel this indenture and adjudge a sum to be paid to the Apprentice by the Master as compensation, which shall be recoverable as and deemed to be wages due to the Apprentice.

(7.) And the said Master hereby undertakes to attend with the said Apprentice once at least in every half-year during the continuance of this Indenture, before
(8) the said Superintendent with a view to the investigation by him of questions affecting the earnings and service of such Apprentice, and at such times to give to the said

Superintendent a full, true, and faithful report of the character, conduct and efficiency of the said Apprentice:

(8.) And it is hereby further agreed that within 28 days after the expiration of the probationary period herein-after mentioned, or if the Boat (on board of which the Apprentice is) is at sea during the whole of the twenty-eight days then immediately upon her return to port, this Indenture and the said Apprentice shall be brought to the said Superintendent for his Signature to the Endorsement marked
(9) C on the back hereof, and that in the event of the Superintendent seeing sufficient grounds for withholding his Signature, the Apprenticeship shall cease from a date to be named by the said Superintendent, and upon the terms and conditions to be by him prescribed, which said date and terms and conditions shall be recorded in the Register of Apprentices kept by the said Superintendent, and shall be notified to and observed by the said Master and the said Apprentice:

(9.) And it is hereby further agreed that the said Superintendent shall have power, if the circumstances of the case appear to him to warrant such a course, at any time within the Probationary period to decide that he will be unable to sign the said Endorsement marked C, and thereupon the Apprenticeship shall cease from a
(10) date to be named by the said Superintendent and upon the terms and conditions to be by him prescribed; which said date and terms and conditions shall be recorded in the said Register of Apprentices, and shall be notified to and observed by the said Master and the said Apprentice:

(10.) And it is hereby further agreed that breaches of Agreement or discipline alleged to have been committed by the said Apprentice within the said Probationary
(11) period, shall not be taken before any Court for adjudication unless and until the said Superintendent shall have first had an opportunity of inquiring into the same, and have declined so to inquire, or shall upon inquiry determine to send the same for adjudication:

(11.) And the said Master and Apprentice hereby consent to and undertake to
(12) abide by the Covenants, Obligations, Agreements, and Provisoes herein contained:

(12.) The probationary period of _____ shall be allowed to the Apprentice under this indenture, and if at the end of that period or the next return from sea thereafter he applies to the said Superintendent to put an end to the apprenticeship, the Superintendent may after communicating with the Master, if he sees sufficient grounds for cancelling this indenture and ending the Apprenticeship, cancel and end the same, and thereupon the indenture shall be cancelled, and the apprenticeship ended from the date to be endorsed thereon by the said Superintendent.

And for the performance of the said Covenants, Obligations, Agreements, and Provisoes, the said Master doth hereby bind himself, his Heirs, Executors, and
(13) Administrators, unto the said apprentice, his Executors and Administrators, in the penal sum of £_____: Provided, that notwithstanding the penal stipulations herein contained any Justice or Justices of the Peace may exercise such jurisdiction in respect of the said Apprentice as he or they might have exercised if no such stipulations had been herein contained.

In witness whereof, the said parties have hereunto set their hands and seals the day and year above written.

Signed, sealed, and delivered in the presence of and approved by

_____

Superintendent of the Mercantile Marine Office. L.S. _____ (Master).

Port of _____ L.S. _____ (Apprentice).

NOTE.—*This Indenture must be executed in triplicate; one copy will be retained and recorded by the Superintendent above referred to, one retained by the Master, and the other retained by the Apprentice.*

ENDORSEMENTS referred to in the body of this Indenture and in the Act.

A.—Particulars of Spending-Money, Remuneration, and Payments.

SPENDING MONEY.

(*Here are to be entered full particulars of the amounts to be from time to time paid to the Apprentice as spending money during the term of the Apprenticeship.*)

REMUNERATION AND PAYMENTS.

(*Here are to be entered full particulars of all allowances, perquisites, shares, or proportions of Salvage if earned by the Smack, or other payments or emoluments to which the Apprentice may become entitled in the course of his Apprenticeship.*)

B.—(Here state pursuant to section 4 whether the nearest relations or the guardian or guardians assent, and such other particulars as the Act requires. If the Superintendent acts as guardian he should state that the nearest relations, or guardian or guardians cannot readily be found, or are not known, or that there are none, and that he has acted as guardian.)

C.—I hereby certify that, after full inquiry made by me, I see no sufficient grounds for interfering with this Apprenticeship.

Dated this _____ day of _____ 18____

_____ Superintendent,

Mercantile Marine Office, Port of _____

Agreement with a Boy under Sixteen.

SEA FISHING SERVICE.

THIS AGREEMENT made _____ day of _____ 18___, between _____, aged _____ years, a native of _____, in the county of _____ (herein-after called the "Boy") of the first part and _____ of _____ in the county of _____ Owner of not less than eight sixty-fourth shares in (or Skipper of) the Fishing Boat _____ of _____ (herein-after called the "Master") of the second part, WITNESSETH, That the Boy

hereby voluntarily agrees to serve as a boy on board the Fishing Boats* _____ of which the Master is owner (or Skipper) for† _____ and the Boy agrees to conduct himself in an orderly, faithful, honest, and sober manner, and to be at all times diligent in his duties, and to be obedient to the lawful commands of his Master and of the Skipper and officers of the fishing boat on which he is serving in everything relating to his service and the fishing boat, and the stores and cargo thereof, whether on board, in boats, or on shore. And the Master agrees to pay to the Boy the wages and remuneration stated on the back of this Agreement, and to supply him with suitable and sufficient provisions to the satisfaction of the Superintendent of the Mercantile Marine Office at the port of ‡ _____. And shall also whenever the Boy is on shore during the duration of this Agreement, with the consent of the Master or Skipper, provide him with suitable and sufficient board and lodging to the satisfaction of the said Superintendent. And it is hereby agreed that any embezzlement, or wilful or negligent destruction of any part of said boat's cargo or stores shall be made good to the Owner out of the wages of the Boy, and that the regulations for maintaining discipline sanctioned by the Board of Trade which are printed hereon and numbered § _____ are adopted as part of this Agreement. And it is hereby further agreed that the Boy shall not be required to serve on any Boat in which the Master is not during the continuance of such service himself serving as Skipper, First hand, or Seaman, or in which the Master does not during the continuance of such service possess an interest of at least one-eighth share. And it is agreed that the Boy shall receive from the Master the Wages and Remuneration aforesaid at the times stated on the back hereof, and that the Boy shall be entitled to participate in any sum or sums of money arising from any Salvage or Salvage Services performed or rendered by or by means of the Boat on which he is serving or the Crew thereof in such proportion as is stated on the back hereof.

Registered at the Port of _____ this _____ day of _____ 18__

Signed _____

‖ The probationary period of shall be allowed to the Boy under this Agreement, and if at the end of that period or the next return from sea thereafter he applies to the said Superintendent to put an end to the Agreement, the Superintendent may, after communicating with the Master, if he sees sufficient grounds for cancelling the Agreement, cancel and put an end to the same, and the Agreement shall thereupon be cancelled and ended from the date endorsed thereon by the said Superintendent.

And it is hereby further agreed that breaches of agreement or discipline alleged to have been committed by the Boy within the said probationary period shall not be taken before any Court for adjudication unless and until the said Superintendent shall have first had an opportunity of inquiring into the same, and have declined so to inquire, or shall upon inquiry determine to send the same for adjudication.

And it is hereby further agreed that¶

And it is hereby further agreed that the Boy or the Master may, after the expiration of the probationary period (if any), give to the other days notice to determine this Agreement, and the Agreement shall thereupon be determined, and the Boy shall be entitled to wages and remuneration up to and including the date of the expiration of such notice, to be paid on the day of such expiration: Provided always, that such notice of dismissal shall not be capable of expiring during the continuance of a voyage or at a place other than the port to which the boat on which the Boy is serving belongs.

And it is further agreed that either the Boy or the Master shall be entitled to appeal to the said Superintendent to decide any dispute between them arising out of this

* Here should be inserted the names of the boats on which the boy is to serve, or if he is intended to serve on no specific boats but any boats belonging to the Master or of which he is Skipper, then it should be left blank.

† Here must be inserted the nature of the engagement, whether for the voyage or for a stated period.

‡ The port which the Superintendent before whom it is signed considers most convenient.

§ The regulations sanctioned by the Board of Trade printed on this Agreement and the numbers of those which are to form part of this contract must be filled in.

‖ This and the next clause need only be inserted in cases where the agreement is to exceed one month or where the agreement is for more than one voyage and likely to continue for more than one month.

¶ Here insert any stipulations not contrary to law to which the parties agree and which the Superintendent approves.

Agreement or in relation to the Boy's service, and the said Superintendent's decision, if he thinks fit to decide the same, shall be final.

In witness whereof the said parties have hereunto set their hands on the day and in the year above written.

Signed in the presence of
and approved by

_____ Master.

_____ Boy.

_____

Superintendent of the Mercantile Marine
Office at the port of

NOTE.—This agreement must be executed in triplicate; one copy will be retained and recorded by the Superintendent above referred to, one retained by the Master, and the other retained by the Boy.

[*To be printed on back of Agreement.*]

Endorsements referred to in the body of this Agreement and in the Act.

A.—Particulars of wages, remuneration, and payments. (Here are to be entered full particulars of all allowances, perquisites, wages, remunerations, emoluments, shares of catch, &c., with the times when the boy is to receive the same, and also the proportion of salvage the boy is to have.)

B.—(Here state pursuant to section 4 whether the nearest relations or the guardian or guardians assent, and such other particulars as the Act requires. If the superintendent acts as guardian he should state that the nearest relations or guardian or guardians cannot readily be found, or are not known, or that there are none, and that he has acted as guardian.

Here print the regulations with respect to boys for maintaining discipline sanctioned by the Board of Trade.

CHAPTER 42.

An Act to grant Money for the purpose of Loans by the Public Works Loan Commissioners and the Commissioners of Public Works in Ireland and the Irish Land Commission; and to amend the Acts relating to the said Commissioners, and for other purposes.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Public Works Loans Act, 1883.

Citation of Acts.
38 & 39 Vict. c. 89.
39 & 40 Vict. c. 31.
42 & 43 Vict. c. 77.
44 & 45 Vict. c. 38.
45 & 46 Vict. c. 62.

2. The Public Works Loans Act, 1875, the Public Works Loans (Money) Act, 1876, the Public Works Loans Act, 1879, the Public Works Loans Act, 1881, and the Public Works Loans Act, 1882, may be together cited as the Public Works Loans Acts, 1875 to 1882.

PART I.

Grant of Money for Public Works Loan Commissioners.

Grant of 3,000,000*l.* for Public Works Loans.

3. (1.) For the purpose of loans by the Public Works Loan Commissioners,—

(*a.*) Any sum or sums, not exceeding in the whole the sum of three million pounds, may be issued out of the Consolidated

Fund of the United Kingdom, or the growing produce thereof, in manner provided by the Public Works Loans Act, 1875, as amended by the Public Works Loans Act, 1879; and

(*b.*) The Commissioners for the Reduction of the National Debt may advance any part or parts of the total sum above in this section mentioned in reduction of the amount which may be so issued out of the Consolidated Fund;

and such sums may be issued and advanced during the period ending on the day at which a further Act granting money for the purpose of the said loans comes into operation.

(2.) The Treasury may, in the manner and subject to the limitations provided by the Public Works Loans Act, 1875, borrow the sum authorised by this section to be issued out of the Consolidated Fund, or any part of that sum.

PART II.

Grant of Money for Public Works Commissioners, Ireland.

Grant of 1,200,000*l.* for loans by Commissioners of Public Works in Ireland.

4. (1.) For the purpose of loans by the Commissioners of Public Works in Ireland,—

(*a.*) Any sum or sums, not exceeding in the whole one million two hundred thousand pounds, may be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, in manner provided by Part Two of the Public Works Loans (Ireland) Act, 1877, as amended by the Public Works Loans Act, 1879; and

40 & 41 Vict. c. 27. 42 & 43 Vict. c. 77.

(*b.*) The Commissioners for the Reduction of the National Debt may advance any part or parts of the total sum above in this section mentioned in reduction of the amount which may be so issued out of the Consolidated Fund;

and such sums may be issued and advanced during the period ending on the day on which a further Act authorising the issue of money for those loans comes into operation.

(2.) The Treasury may, in the manner and subject to the limitations provided by Part Two of the Public Works Loans (Ireland) Act, 1877, borrow the sum authorised by this section to be issued out of the Consolidated Fund, or any part of that sum.

PART III.

Grant of Money for Irish Land Commission.

Grant of 400,000*l.* to Land Commission.

5. (1.) For the purpose of advances or of purchases of estates by the Irish Land Commission under the Land Law (Ireland) Act, 1881, and under any Act that may be passed, called the Tramways and Public Companies (Ireland) Act, 1883, any sum or sums, not exceeding in the whole the sum of four hundred thousand pounds, may be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, in manner provided by the said Acts, and such sums may be issued during the period ending on the day on which a further Act providing money for the purpose of such advances or purchases comes into operation.

44 & 45 Vict. c. 49. 46 & 47 Vict. c. 43.

(2.) The Treasury may, in the manner and subject to the limitations provided by the said Acts, borrow the sum authorised by this

section to be issued out of the Consolidated Fund, or any part of that sum.

Power to borrow for the purposes of Tramways and Public Companies (Ireland) Act, 1883.
45 & 46 Vict. c. 47.

6. Whereas by a Bill pending in Parliament, for an Act to be called the Tramways and Public Companies (Ireland) Act, 1883, it is (among other things) provided that the twentieth section of the Arrears of Rent (Ireland) Act, 1882, enabling grants to be made in aid of emigration, shall be amended as therein mentioned, and that the sum of two hundred thousand pounds shall be substituted in that section for the sum of one hundred thousand pounds therein mentioned, and thereby the raising of an additional sum of one hundred thousand pounds by the Irish Land Commission for the purposes of the said section as so amended is rendered necessary:

45 & 46 Vict. c. 62.

And whereas by section six of the Public Works Loans Act, 1882, the Irish Land Commission, for the purpose of paying money for grants under the said section of the Arrears of Rent (Ireland) Act, 1882, and for other purposes under that Act, were authorised to borrow on the security of the Irish Church Temporalities Fund, such sums not exceeding in the whole two million six hundred thousand pounds, at the rate and on the terms and in the manner and with the guarantee of the Consolidated Fund as therein mentioned:

And whereas it is expedient to extend the said section of the Public Works Loans Act, 1882, to the raising of the said additional sum of one hundred thousand pounds:

Be it therefore enacted as follows:—

In the event of the above recited provision of the Tramways and Public Companies (Ireland) Act, 1883, being passed into law, the Irish Land Commission may borrow the said additional sum of one hundred thousand pounds in manner provided by section six of the Public Works Loans Act, 1882, and that section shall apply in like manner as if two million seven hundred thousand pounds were therein substituted for two million six hundred thousand pounds.

PART IV.

Provision as to certain Loans.

Power to postpone debts due from trustees of Arbroath harbour.

7. Whereas the Public Works Loan Commissioners, in the year one thousand eight hundred and seventy-two, and subsequent years, advanced to the Aberbrothwich otherwise called Arbroath Harbour Trustees sums amounting in the whole to twenty thousand pounds, which sums were expended on works for the harbour of Arbroath, and, with interest at the rate of three and a half per cent. per annum, are repayable out of the revenues of the harbour by annuities terminating between the years one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-five; and by the payment of such annuities the capital now due has been reduced to eighteen thousand six hundred and sixty-four pounds five shillings and tenpence:

And whereas the revenues of the harbour are applicable in the first place for the management and maintenance thereof:

And whereas an accident has occurred whereby serious injury has been caused to the works of the harbour, and the estimated cost of the works necessary for the repair of such injury amounts to ten thousand pounds:

And whereas, with a view to the repair of the said injury to the works of the harbour, it is expedient to authorise such suspension of the payment of the said annuities due to the Public Works Loan Commissioners as is herein-after mentioned: Be it therefore enacted as follows:

The Public Works Loan Commissioners, subject to such conditions as may seem expedient, may, with the consent of the Treasury, suspend the payments on account of the advances made by the Public Works Loan Commissioners to the Arbroath Harbour Trustees and the interest thereon during such period not exceeding five years from the first day of January one thousand eight hundred and eighty-two, as may be considered necessary for the purpose of enabling the Arbroath Harbour Trustees to repair the said injury to the works of the harbour, and the Public Works Loan Commissioners may, if they think fit, with the consent of the Treasury, enter into arrangements with the Arbroath Harbour Trustees for payment of the said capital debt of eighteen thousand six hundred and sixty-four pounds five shillings and tenpence, with all interest due and to become due thereon, by instalments commencing after the said period of suspension, and terminating in or before the year one thousand nine hundred and thirty, and any such arrangement may include the capitalization of such interest.

Provision as to Athlunkard Bridge, Limerick.

8. Whereas divers sums amounting in the whole to fifteen thousand eight hundred and fifty pounds were advanced in the year one thousand eight hundred and twenty-six and subsequent years, out of the Consolidated Fund of the United Kingdom, in aid of the building of a bridge at Limerick, called the Athlunkard Bridge, and the said sums were advanced to the bridge commissioners on the security of the tolls of the bridge, and were repayable by annual instalments with interest at the rate of four per cent. per annum:

And whereas no instalment of principal has ever been paid, and there was due on the thirty-first day of December one thousand eight hundred and eighty-two in respect of arrears of interest on the said advances the sum of eighteen thousand three hundred and thirty-seven pounds nineteen shillings and elevenpence, and the total sum now due to the Commissioners of Public Works in Ireland for principal and interest amounts to thirty-four thousand one hundred and eighty-seven pounds nineteen shillings and elevenpence:

And whereas the bridge commissioners held the bridge on trust for the public, and derived no pecuniary benefit therefrom, and they or the larger part of them are dead, and there is no power to appoint any new commissioners:

And whereas in consequence of the deaths of some of the bridge commissioners, and the absence of any power to appoint new commissioners, the Commissioners of Public Works in Ireland took possession in the year one thousand eight hundred and sixty-eight of the bridge and the tolls thereof, and have ever since been in possession of the tolls, and maintained the bridge, and applied the surplus of the tolls, after payment of the expenses of collection and the maintenance of the bridge, in payment of the interest on the said advances:

And whereas the average annual amount applicable to the payment of such interest during the six years ending on the thirty-first of March one thousand eight hundred and eighty-three amounted to four hundred and fifty-eight pounds six shillings and eightpence, and with the exception of such surplus tolls, no other moneys are applicable to the repayment of the said advances and the interest thereon:

And whereas it is expedient to provide for the composition of the said debt and the abolition of the tolls on the bridge and for the maintenance of the bridge in manner herein-after provided: Be it therefore enacted as follows:—

(1.) If the Treasury are satisfied that payment to the Commissioners of Public Works in Ireland of the sum of six thousand pounds by fifty equal half-yearly instalments together with interest at the rate of three and a quarter per cent. per annum is secured in manner provided by this section, and that the mayor, aldermen, and burgesses of the city of Limerick (in this section referred to as the corporation of Limerick) have undertaken as herein-after mentioned to maintain the Athlunkard Bridge and the approaches thereto, they may authorise the Commissioners of Public Works in Ireland to make, and such Commissioners may accordingly make an order under this section, and by such order may remit the said advance of fifteen thousand eight hundred and fifty pounds, and all arrears of interest due thereon, and the excess of the sum so remitted over and above the said sum of six thousand pounds shall be deemed to be a free grant by Parliament; and further, the said order may declare that Athlunkard Bridge shall, as from the date specified in the order, be free from toll, and be vested in the Corporation of Limerick for the use of the public, and thereupon, as from the date specified in the order, the said bridge shall be free from toll, and it shall be the duty of the Corporation of Limerick to maintain the bridge and the roadway thereof and the approaches thereto in good repair and condition.

(2.) The grand jury of the county of Clare, if a presentment has been duly made by presentment sessions, and the grand jury think fit, may present that the county of Clare shall be charged with the payment to the Commissioners of Public Works in Ireland of a portion of the said sum of six thousand pounds with interest thereon.

(3.) The Commissioners of Public Works in Ireland shall ascertain what sum would be charged in respect of each hundred pounds of the said sum of six thousand pounds, and so in proportion for smaller parts thereof, if the same were to be discharged by fifty equal half-yearly instalments, beginning at the time mentioned in the certificate, with interest on the unpaid portion at the rate of three and a quarter per cent. per annum, and shall certify the sum so ascertained to the presentment sessions for the said county before the meeting thereof for the purposes of this section, and shall also certify the same to the grand jury before the assizes at which the presentment of the grand jury is proposed to be made.

(4.) The presentment of the grand jury, if made, shall provide for the payment of any sum which is presented by fifty equal half-yearly instalments, which shall be applotted and levied from time to time without any further presentment, and shall commence at the time mentioned in the certificate.

(5.) Any presentment under this section may be traversed and may be fiated by the judge of assize in like manner as any other presentments of a grand jury.

(6.) For the purposes of this section a special meeting of the county at large presentment sessions of Clare may be held on a day to be appointed by the Commissioners of Public Works in Ireland within twelve months after the passing of this Act.

(7.) The justices and associated cesspayers for the time being entitled to attend at the ordinary county at large presentment sessions of the said county shall be entitled to attend at a meeting of the presentment sessions under this section.

(8.) A vote shall be taken at such special meeting of presentment sessions, or at any ordinary meeting of county at large presentment sessions for the said county, to which a presentment for the purposes of this section is submitted, by which vote the meeting shall declare whether they agree that the county cess shall be charged with the payment of any and what proportion of the said sum of six thousand pounds to be paid in accordance with the certificate of the Commissioners of Public Works in Ireland.

(9.) Notice of a special meeting of presentment sessions for the purposes of this section shall be given by the Commissioners of Public Works in Ireland once in each of two consecutive weeks before the day fixed for the meeting in two or more newspapers circulating in the county, and the sessions shall be held in accordance with a notice so published. A like notice shall be given of the intention to submit a presentment for the purposes of this section at any ordinary meeting of county at large presentment sessions. The Commissioners of Public Works in Ireland may make such arrangements as they think fit respecting the making of an application for any presentment under this section.

(10.) Some person nominated for that purpose by the Commissioners of Public Works in Ireland shall attend at any such meeting, and shall give information to the meeting as to the powers conferred upon the presentment sessions and grand jury by this section; and as to the amount for which the county may become liable if the meeting agrees that any charge should be imposed.

(11.) The Corporation of Limerick may, by a resolution of the council undertake to hold for the use of the public the Athlunkard Bridge and the approaches thereto, and to maintain the same in good and sufficient order, repair, and condition, and to light the bridge and approaches in a sufficient manner.

(12.) The Corporation of Limerick may, by a resolution of the council passed within six months after the making of any grand jury presentment under this section, undertake to pay to the Commissioners of Public Works in Ireland such portion

of the said sum of six thousand pounds (if any) as is not charged on the county of Clare in pursuance of this section, and thereupon the said portion shall be charged on and payable out of the borough fund and general purposes rate of the said corporation by fifty equal half-yearly instalments, beginning at the expiration of three months after the date of the resolution, or at any other date mentioned in the resolution, not later than four months after the date of the resolution, with interest on the unpaid portion at the rate of three and a quarter per cent. per annum, and the Commissioners of Public Works in Ireland shall have the same remedy for enforcing such payment as they would have if a mortgage of the said fund and rate had been made to the said commissioners for securing the same.

(13.) The expenses of the Corporation of Limerick incurred in pursuance of this section may be defrayed out of any moneys or rates applicable for the purpose of maintaining or lighting the roads in the city of Limerick, as the case may be, but nothing in this section relating to the maintenance and lighting of the said bridge, and the roadway thereof and approaches thereto, shall diminish any liability of the borough fund or general purposes rate to pay the sums due to the Commissioners of Public Works in Ireland.

Period for repayment of loan for rebuilding Green Street court house, Dublin.

9. In case the Commissioners of Public Works in Ireland advance a loan for the purpose of building a new court house in lieu of the existing court house in Green Street, Dublin, the period for repayment of any such loan or any instalment thereof may, notwithstanding anything in the Acts relating to loans by the said Commissioners, be such period not exceeding forty years from the date of the loan or instalment as the said Commissioners, with the consent of the Treasury, determine.

Extinguishment of debt on certain lands and mills on the river Corrib, Galway.
43 & 44 Vict. c. 1.

10. Whereas in pursuance of the power conferred by section four of the Public Works Loans Act, 1880, the Commissioners of Public Works in Ireland, with the approval of the Treasury, have remitted certain instalments of principal and interest charged by virtue of the award mentioned in the said section on certain lands and mills situate on each side of the river Corrib, in the county of Galway, which said instalments were set forth in the schedule to the said Act, and amounted together to the sum of one thousand five hundred and sixty-six pounds fourteen shillings and tenpence, whereof the sum of eleven hundred and seventy-one pounds ten shillings was the amount remitted in respect of the mills and lands comprised in lots nine and ten referred to in the said schedule:

And whereas after the remission of the said last-mentioned sum there remained due to the Consolidated Fund of the United Kingdom in respect of principal and interest the further sum of eight hundred and twenty-three pounds three shillings and sevenpence charged by virtue of the said award upon the mills and lands comprised in the said lots nine and ten:

And whereas the last-mentioned mills and lands were vested in the Commissioners of Public Works in Ireland, and have since such remission as aforesaid been sold by the said Commissioners with the consent of the Treasury for the sum of five hundred pounds:

And whereas the residue of the said sum of eight hundred and twenty-three pounds three shillings and sevenpence, after payment into the Consolidated Fund of the said sum of five hundred pounds, amounts to the sum of three hundred and twenty-three pounds three shillings and sevenpence, which is irrecoverable, and it is therefore expedient that it should be extinguished:

Be it therefore enacted that the said sum of three hundred and twenty-three pounds three shillings and sevenpence, so due to the Consolidated Fund as aforesaid, shall be and the same is hereby extinguished, and shall be considered as a free grant from Parliament.

Amendment of Acts.

Amendment of 45 & 46 Vict. c. 47. s. 16. as to recovery of certain rentcharges.

11. Whereas certain advances have been made by the Irish Land Commission to landlords in respect of antecedent arrears due by the tenants of certain holdings respectively, pursuant to section sixteen of the Arrears of Rent (Ireland) Act, 1882, and such holdings have been respectively declared to be charged with rentcharges in repayment of such advances, and advances may be made and holdings charged in like manner in future: And whereas it is provided by the said section that such rentcharges shall be from time to time collected by the collector authorised to collect poor rates in the electoral division in which the holding is situate, and that every such collector shall pay and account for the sum so collected by him to the guardians of the union in which such holding is situate, and that the guardians shall transmit the amounts from time to time received by them as aforesaid to the Irish Land Commission:

And whereas it is expedient to make a different provision respecting the collection of such rentcharges; be it therefore enacted as follows:

(1.) The mode of collecting and levying the said rentcharge herein before recited shall not be used after the passing of this Act:

(2.) Where any advance has been made or shall hereafter be made pursuant to section sixteen of the Arrears of Rent (Ireland) Act, 1882, and where any holding has been or shall hereafter be charged with a rentcharge in repayment of any such advance, each such rentcharge shall be collected directly by the Irish Land Commission, and the payment thereof may be enforced in the same manner in all respects as if such rentcharge were an annuity in favour of the Irish Land Commission in repayment of an advance for the purpose of supplying money for the purchase of a holding pursuant to section twenty-eight of the Land Law (Ireland) Act, 1881, save only that section ten of the Public Works Loans Act, 1882, shall not apply to any rentcharge levied and collected pursuant to this present enactment:

(3.) Provided always that nothing herein contained shall prejudice or affect the provisions of the said section sixteen of the Arrears of Rent (Ireland) Act, 1882, with respect to the power of the county court to order a sale of the tenancy on such default and such application as therein mentioned, nor the provisions as to the proceedings consequent on such sale, nor as to the contingent liability of the landlord, nor with respect to the

transfer of the tenants interest by sale, all which provisions shall remain in full force and effect.

Amendment of 40 & 41 Vict. c. 27. s. 3. as to period for repayment of certain advances.

12. So much of section three of the Public Works Loans (Ireland) Act, 1877, as provides that any such advance as in the said section mentioned and the interest thereon shall be repaid within such period from the date of the advance as the Treasury shall by order from time to time fix, so that it do not in any case exceed twenty years or any less period fixed by the Acts referred to in the said section, is hereby repealed; and, in lieu of the said provision, be it enacted as follows:

Any such advance as in section three of the Public Works Loans (Ireland) Act, 1877, mentioned, and the interest thereon, shall be repaid within such period, commencing either from the date of such advance or from the date of the completion of the works for which such advance is made, as the Treasury by order from time to time fix, so that the said period do not in any case exceed twenty years, or any less term fixed by the Acts referred to in the said section.

Provision for recovery of money due to Commissioners from grand jury.

13. (1.) Where any sum is payable to the Commissioners of Public Works in Ireland by a county or any part thereof on account of any advance made or expenses incurred by or under the authority of the said Commissioners in pursuance of this Act or of any Act passed either before or after the passing of this Act, and such sum is payable by instalments, the said Commissioners shall not be required to issue a separate certificate for the recovery of each of such instalments, but they may, at any time or times after the making of such advance or the incurring of such expenses as aforesaid, send to the secretary to the grand jury of such county a certificate or certificates specifying the whole or any part or parts of the sum so payable; and any such certificate shall also specify the amount (including principal and interest) of each instalment payable by such county or any part thereof in respect of the sum specified in such certificate, and, as nearly as may be, the time at which each such instalment will be due.

(2.) Any such certificate shall, until the contrary is proved, be conclusive evidence of all matters necessary to authorise the making of it.

(3.) Upon any such certificate being sent to the secretary to the grand jury, the grand jury at the next and every succeeding assizes or presenting term, until the sum therein specified as aforesaid has been fully paid, shall, without any previous proceeding at any presentment sessions, present the amount required for the payment of any instalment of the said sum for the time being due or falling due before the then next assizes or presenting term, as specified in the said certificate; and if such grand jury make default in presenting such amount as aforesaid, the judge of assize or the High Court of Justice shall order such amount to be raised, and such order shall have the force of a presentment, and such amount shall be applotted and raised and levied accordingly as if the same had been inserted in a presentment duly made at such assizes or presenting term.

The secretary to the grand jury shall, within one month after the date of any such presentment or order as aforesaid, send notice thereof to the said Commissioners, and every sum raised in pursuance

of any such presentment or order shall be paid into the Bank of Ireland to the account of the said Commissioners, or in such other manner as the Treasury from time to time direct.

In this section—

The expression "county" includes a county of a city, a county of a town and city, and a city or town and county:

The expression "grand jury," as regards any borough of which the council is authorised by law to make presentments, includes such council, and the expression "secretary to the grand jury," as regards any such town council, includes the town clerk.

CHAPTER 43.

An Act for promoting the extension of Tramway communication in Ireland, and for assisting Emigration, and for extending certain provisions of the Land Law (Ireland) Act, 1881, to the case of Public Companies.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Powers of Grand Jury to Guarantee.

Grand jury may present in favour of baronial guarantee.

1. (1.) It shall be lawful for the promoters of any tramway, being a public company, in making application to the grand jury of any county under the Tramways (Ireland) Acts, to propose that a barony or baronies in the county shall guarantee the payment of dividends, not exceeding five per centum, upon so much of the share capital of the undertaking as is for the time being paid-up capital as defined by this Act: And also that, in case of default on the part of the promoters, the completion, working, and maintaining of the undertaking may be provided for, under the circumstances specified in this Act, at the cost of the same barony or baronies.

(2.) The grand jury shall inquire into such proposal, and shall hear all persons interested, and may make a presentment to be submitted to the Lord Lieutenant in Council that such baronies or parts of baronies as the grand jury may specify shall be chargeable with the payment of dividends at such rate, not exceeding five per centum per annum as the grand jury may determine on so much of the share capital of the company as is for the time being paid-up capital as defined by this Act: And also that the same baronies or parts of baronies shall become chargeable, under the circumstances specified in this Act, with the payment from time to time of such sums as may be required for completing, working, or maintaining the undertaking.

The guarantee may be limited by the presentment to expire at a fixed period.

(3.) The presentment shall provide that the barony or baronies or parts of baronies which it is proposed to charge with any part

of such guarantee shall be represented in the direction or supervision of the affairs and finance of the company, so far as relates to the said tramway, or the part or parts thereof, in respect of which such barony or baronies or parts of baronies are proposed to be charged. This may be done—

(*a.*) By enabling the presentment sessions for such barony from time to time to elect a director or a local consulting director or directors of the company as the grand jury think necessary:

(*b.*) By enabling such presentment sessions from time to time to appoint an auditor, with power to inspect the books and accounts of the said company relating to the said tramway at stated and reasonable times:

(*c.*) By enabling such presentment sessions from time to time to appoint a delegate or delegates to attend and vote at the general meetings of the company on business relating to the said tramway, under such conditions as may be prescribed:

(*d.*) By any combination of the foregoing arrangements deemed proper:

(*e.*) The presentment may lay down a scale of payment, so far as they are chargeable upon the earnings of the undertaking, if any, for the directors and officials of the company, and may provide for the revision of such scale.

(4.) The presentment shall contain all such other conditions as the grand jury think proper to insert.

(5.) The presentment may apply to one barony only, if the grand jury so think fit. If it applies to more baronies than one, it shall determine the proportions of their liability respectively, or the presentment may provide that the proportions of such liability may be afterwards determined from time to time by arbitration or otherwise as the grand jury think expedient.

(6.) Nothing contained in this Act shall operate to prevent a company from promoting, constructing, and working two or more different tramway undertakings: Provided always that such company shall keep separate capital and revenue accounts for each tramway.

Petition of appeal against presentment.

2. In addition to the persons entitled under the Tramways (Ireland) Acts to appeal to the Lord Lieutenant in Council against the presentment of a grand jury approving of the undertaking, it shall be lawful for any persons, not less than twenty in number, who are collectively liable to pay one eighth or upwards of the county cess in any barony specified in the presentment of the grand jury, to present a petition of appeal to the Lord Lieutenant in Council against such presentment. Such petition of appeal shall operate in the same manner as a petition of appeal under the Tramways (Ireland) Acts to prevent the Order in Council from taking effect unless confirmed by Parliament.

Order in Council may adopt the presentment of the grand jury.

3. When any such presentment has been submitted to the Lord Lieutenant, the Order in Council, which the Lord Lieutenant is empowered to make under the Tramways (Ireland) Acts, may include, in addition to any provisions which it might have contained if this Act had not been passed, a confirmation of the presentment of the grand jury so far as it relates to any charge or liability to be defrayed by any barony.

Orders in Council under this Act shall only be made with the sanction of the Treasury.

Baronies to contribute pursuant to their guarantee.

4. During the continuance of the guarantee the net receipts from the tramway, after deducting from the gross receipts the expenses of the management and working and proper maintenance of the tramway, shall be applied to the payment of a dividend at the guaranteed rate on so much of the share capital of the company applicable to such tramway as is for the time being paid-up capital within the meaning of this Act; and in the event of a total failure or partial insufficiency in any half year of such net receipts to pay such dividend, then the sums required to pay such dividend or to make up any deficiency therein shall be charged upon and levied off the barony or baronies chargeable under the guarantee, and the sums so levied shall be applied for that purpose, and to no other purpose whatever.

Repayment by company of money contributed by baronies.

5. Whenever in any half year there remains any surplus of the receipts from the tramway (after deducting the expenses of the management and working of the tramway, and after deducting dividend at the guaranteed rate upon the capital of the company for the time being paid up), and any money shall in any previous half year have been contributed by the baronies under their guarantee, or for maintaining or working the tramway, such surplus shall be paid over by the company to the treasurer of the county until all moneys paid by the baronies, together with the costs and expenses of levying the same, shall have been repaid to such treasurer. All moneys so repaid to the treasurer shall be apportioned by him between the Treasury and the baronies in the proportions in which the Treasury and the baronies respectively have made payments on account of the undertaking. The amount which on such apportionment is found to be payable to the Treasury shall be paid by the treasurer of the county to the Commissioners of Public Works, for the use of the Exchequer, in such manner as the Treasury may from time to time order. The amount which is payable to the baronies shall be carried by the treasurer to the credit of the baronies in proportion to the amounts paid by them respectively, and shall be applied by him in reduction of the county cess payable by the baronies respectively.

Amount to be paid by baronies.

6. For the purpose of ascertaining the gross receipts and the net receipts from the tramway, and the sums (if any) which any barony shall pay in any half year as provided by the Order in Council, and for the other purposes mentioned in this Act, the Board of Trade may, during the continuance of the guarantee, from time to time appoint as arbitrators the county surveyor acting for the time being in the county in which such barony is situate, and two other persons to be selected by the Board of Trade, and may supply the place of any of such arbitrators dying or resigning or failing or becoming incapacitated to act, and such arbitrators shall from time to time ascertain and determine the amount of the gross receipts and of the net receipts, if any, as prescribed by this Act in respect of the tramway in each half year, and also any other matters which it may appear necessary to them to inquire into and determine upon in order to ascertain the amount which may be applicable out of the receipts of the undertaking to the payment

of the guaranteed dividend, and the amount, if any, which the guaranteeing baronies are liable to contribute towards such dividend, or towards the expenses of maintaining or working the undertaking, and the amount (if any) payable to the treasurer of the county under this Act, and shall thereupon apportion and determine the amount of such half-yearly sums, if any, to be paid by the baronies liable to pay the same or by the company, and the arbitrators shall set forth the several matters so determined by them in certificates under their hands, or, in case they do not agree, under the hands of any two of them, and such certificates shall be in all respects binding on the grand jury and the baronies and the company; and immediately after the delivery of such certificates to the secretary of the grand jury of the county, the baronies, or the company, as the case may be, shall be liable as herein provided for the payment of such sums as shall be specified in such certificates, and a copy of every such certificate shall be delivered to the company, and the company shall immediately thereon pay to such arbitrators their costs and expenses, and such remuneration for their trouble in regard thereto as the Board of Trade shall order.

It shall not be lawful for any county surveyor liable to be appointed an arbitrator under this provision, or for any assistant to such county surveyor, to promote or have any pecuniary interest in or connected with any proposed tramway.

Sums mentioned in certificates to be presented by grand jury and paid by county treasurer.

7. The arbitrators shall from time to time deliver the certificates by this Act directed to be prepared by them to the secretary of the grand jury of the county to which the guaranteeing barony or baronies belong, who shall lay such certificate before the grand jury at the assizes next after he shall have received the same; and the grand jury are hereby required, from time to time, and without application to presentment sessions, to present the sum mentioned in such certificates as payable by any barony, together with the costs and expenses of levying the same, to be raised and levied in like manner as any presentment made under the authority of an Act passed in the session of the sixth and seventh years of the reign of His late Majesty King William the Fourth, chapter one hundred and sixteen, and any Act amending the same; and if the grand jury fail to present the sum, or any part thereof, contained in any such certificate, together with the costs and expenses of levying the same, the treasurer of the county shall insert such sum, or such omitted part thereof, together with the costs and expenses of levying the same, in his warrant for raising the moneys presented at the same assizes, as if such sum had been duly presented by the grand jury to be raised and levied in manner herein-before mentioned, and the same shall be raised and levied accordingly as if the same had been so presented, and the treasurer shall pay over the amount, when received by him, as if such money had been presented by the grand jury.

Application of Act to cities and corporate towns.

8. In cases where for the purposes of the Tramways (Ireland) Act, 1860, the grand jury of a county of a city, or county of a town, municipal corporation, town or other commissioners, are in the place of the grand jury of the county within which the city, borough, town corporate, place, or district over which they have control, is locally situate, then such grand jury of a county of a

city, or county of a town, municipal corporation, or commissioners shall, for the purposes of this Act, be in like manner in the place of the grand jury of the county; and the provisions of this Act relative to a barony shall apply to the city, borough, town corporate, or other place or district within which such grand jury, municipal corporation, or commissioners have rating powers, and any rate or fund out of which the expense of making or maintaining roads might be defrayed shall for the purposes of this Act be in place of the grand jury cess leviable in a barony, and a resolution of such municipal corporation or commissioners, passed in the same manner as other resolutions for providing funds for the payment of debts, shall be in lieu of a presentment of a grand jury, and the matters and things which in the case of a grand jury of a county are prescribed to be done at the assizes, may be done at any convenient time appointed by the corporation or the commissioners.

Nothing contained in this section shall alter or affect the procedure prescribed with reference to the county of the city of Dublin, and the county of Dublin, by the Act of the session of the thirty-ninth and fortieth years of the reign of Her present Majesty, chapter sixty-five.

Nothing contained in this Act relative to the mode of enforcing payment of any sums due on account of a baronial guarantee, or as to the levying of moneys for making such payment, shall prejudice or affect any action or proceedings which may be taken by any company or person to whom any money is due on account of such guarantee.

Treasury Contribution to Guarantee.

Treasury contribution to baronial charge.

9. When in any half year after the opening for traffic of a tramway belonging to a company the dividend on the share capital of which is guaranteed by a barony under this Act, such barony has paid to the company any sum in respect of guaranteed dividend, exclusive of any sum paid in respect of the completing, working, or maintaining of the undertaking, it shall be lawful for the Treasury, if and so long as the tramway is maintained in working order and carries traffic, to authorise the Board of Works, out of any moneys provided by Parliament, to pay to the treasurer of the county, to be put by him to the account of the barony, a sum not exceeding one half of the sum paid by the barony in respect of guaranteed dividend, exclusive as aforesaid, during such half year and not exceeding a sum equal to interest at the rate of two per cent. per annum on the paid-up capital as defined by this Act for the time being of the company.

The Treasury in sanctioning Orders in Council under this Act shall not undertake to pay in the aggregate a sum exceeding forty thousand pounds a year.

Enactments as to Orders in Council.

Provision shall be made by Order in Council for the working of line.

10. (1.) Every Order in Council which confirms a presentment of a grand jury for a baronial guarantee under this Act shall contain all such provisions as may be necessary for securing that the tramway shall be completed, and shall be maintained in good order and condition, and shall be efficiently worked by the company

or their assigns, and that if default is made in such completing, or if at any time the receipts from the undertaking are insufficient to defray the expenses of management, and of efficiently maintaining and working the undertaking, then such sums as may be necessary for those purposes shall be contributed from time to time by the guaranteeing baronies, in the same proportions, and shall be assessed and levied in the same manner, as their contributions on account of their guarantee, and such Order shall provide for the manner in which such sums shall be applied for those purposes under the control of the grand jury.

(2.) Such Order shall also provide that if the guaranteeing baronies have been called upon to pay and have paid any money for completing the tramway, or if they have been called upon to pay and have, during a period of not less than two years to be fixed by the Order, continued to pay any money for maintaining or working the undertaking, then the undertaking, and all the property of the company connected with it, shall become the property of the grand jury, subject to any liabilities affecting such undertaking or property, and the undertaking shall be maintained and worked by the grand jury at the cost of the guaranteeing baronies; and the Order shall also provide for the mode in which the undertaking shall be so maintained and worked.

(3.) The Order shall also contain such provisions with respect to the inspection of the works, the audit of accounts, the keeping of books, documents, and vouchers, and their submission to the arbitrators appointed under this Act, as the Lord Lieutenant thinks proper.

(4.) Before any such Order in Council is made, the Commissioners of Public Works shall furnish to the Lord Lieutenant an estimate of the amount of paid-up capital which is necessary for the purposes of the undertaking; and the Lord Lieutenant in Council shall, having regard to such estimate and to such representations as may be made by the company, fix a limit upon the amount of capital upon which dividends may be guaranteed, and, subject to that limit, the amount of capital for the time being paid up shall be deemed to be the amount of the paid-up capital of the company so far as relates to such undertaking within the meaning of this Act.

Power to railway companies to subscribe towards tramways under this Act.

11. The Lord Lieutenant in Council may by Provisional Order empower any railway company to contribute towards the cost of the construction of any tramway to be made under the powers of this Act such sum of money by way of loan, subscription for shares, or otherwise, as may be agreed upon between the railway company and the promoters of the tramway.

Such Order in Council shall only be made where the railway company establishes, to the satisfaction of the Lord Lieutenant in Council, that a copy of the Provisional Order as applied for by the railway company has been submitted to the proprietors of the company, at a meeting held specially for that purpose, as if such Order were a Bill promoted in Parliament by the Company, and that all matters and things have been done and have happened, and all times have elapsed, which if such Order were a Bill so promoted as aforesaid should have been done and have happened and elapsed in order to constitute compliance with the Standing Orders of

Parliament applicable to Bills promoted by railway companies for the like purposes to those referred to in this section.

Such Order in Council shall not take effect unless confirmed by Parliament if a petition against it is presented to the Lord Lieutenant in Council, and the petitioner appears and proceeds therewith.

PART II.

Emigration and Purchase of Lands by Public Companies.

Emigration.

12. In the twentieth section of the Arrears of Rent (Ireland) Act, 1882, enabling grants to be made in aid of emigration, the sum of two hundred thousand pounds shall be substituted for the sum of one hundred thousand pounds, and the sum of eight pounds shall be substituted for the sum of five pounds in any cases in which the Lord Lieutenant shall so direct.

Provided that, to an extent not exceeding fifty thousand pounds, the moneys to be hereafter granted by the Commissioners of Public Works under the said section may be applied for the purpose of paying for or assisting in the removal of persons or families from districts or places within the unions referred to in the said section to other places in Ireland, whether within such unions or not, and their settlement there, or for other purposes incidental to such removal and settlement. Such grants shall only be made on the recommendation of the Lord Lieutenant, and on such terms as he may approve.

Advances by Land Commission.

13. (1.) The Treasury may authorise the Irish Land Commission to advance from time to time to any public company with whose constitution the Land Commission are satisfied, herein-after referred to as a public company, out of moneys to be provided by Parliament, if the Land Commission approve of the security and the expediency of the purchase, such sums as the Treasury think fit for aiding such company to purchase estates for the purpose of reselling to the tenants of the lands comprised in such estates their respective holdings, or for the purpose of assisting in the removal thereto of persons and families, as provided by the preceding section of this Act.

Such advances, where the estate or estates are purchased solely for the purpose of re-sale to the tenants, shall only be made when the Land Commission are satisfied that a competent number of the tenants on the estates proposed to be purchased are able and willing to purchase their holdings from the company.

(2.) When a company to whom an advance has been made under this section has purchased an estate, they shall, so far as concerns the re-sale of their holdings to the tenants thereon deal with it in the same manner in which it is provided in Part V. of the Land Law (Ireland) Act, 1881, that the Land Commission shall deal with estates purchased by them for the purpose of reselling to the tenants of the lands comprised in such estates their respective holdings.

(3.) The sale by the company of a holding to the tenant thereof may be made either in consideration of a principal sum being paid as the whole price or in consideration of a fine and of a fee farm rent, with this qualification, that the amount of the fee farm rent

shall not exceed seventy-five per cent. of the rent which in the opinion of the Land Commission would be a fair rent for the holding.

(4.) For the purposes of this section a competent number of tenants means a body of tenants who are not less in number than three fourths of the whole number of tenants on the estate, and who pay in rent not less than two thirds of the whole rent of the estate, and of whom a number, comprising not less than one half of the whole number of tenants on the estate, are able and willing to pay the whole price of their holdings, either immediately or by means of such advances as in this part of this Act mentioned.

The condition as to three fourths of the number of tenants may be relaxed on special grounds with the consent of the Treasury, and on the recommendation of the Lord Lieutenant.

(5.) The Land Commission may advance to a tenant proposing to pay the whole price of his holding any sum not exceeding seventy-five per cent. of the said price, and to a tenant purchasing subject to a fee farm rent a sum not exceeding one half of the amount of the fine payable by the tenant.

(6.) In sales by a company to tenants in pursuance of this section, a separate charge shall not be made for any expenses relating to the purchase, sale, or conveyance of the property, but such expenses shall be included in the price or fine payable by the purchaser.

Sale to public of parcels not purchased by tenants.

14. Where a public company have purchased an estate, they may sell any parcels which they do not sell to the tenants thereof in such manner as they think fit, in consideration either of a principal sum as the whole price, or of a fine and a fee farm rent, or partly in one way and partly in the other.

The Land Commission may advance to any purchaser of a parcel under this section, on the security of such parcel, one half of the principal sum paid as the whole price or of the fine.

The provisions of this part of this Act with respect to the charges for expenses and to the mode in which sales are to be made shall apply to the sale of a parcel in pursuance of this section in like manner as if the purchaser had been the tenant of the holding at the time of his making the purchase.

Terms of repayment of advances made by Commission.

15. (1.) Any advance made by the Land Commission for the purpose of supplying money for the purchase of a holding or parcel from a public company shall be repaid by an annuity in favour of the Land Commission for thirty-five years of five pounds for every hundred pounds of such advance, and so in proportion for any less sum.

(2.) Every such advance shall be secured to the Commission either in such manner as may be agreed on between the Commission and the person to whom the advance is made, and as the Commission think sufficient, or in manner provided by Part III. of the Landlord and Tenant (Ireland) Act, 1870, as amended by the Landlord and Tenant (Ireland) Act, 1872, in like manner in all respects as if the same were such an advance as is mentioned in those Acts, and as if the Land Commission were the Board therein mentioned, and as if the person receiving the advance were a tenant or purchaser therein mentioned.

33 & 34 Vict. c. 46.
35 & 36 Vict. c. 32.

Provided always, that where any such advance is secured in the manner provided by Part III. of the Landlord and Tenant (Ireland) Act, 1870, as amended by the Landlord and Tenant (Ireland) Act, 1872, the first half-yearly payment of the annuity shall, where the advance is not made on one of the gale days (namely, the first day of May or the first day of November), be due and paid on the second of such gale days after the date of the advance; and together with such first half-yearly payment there shall be due and paid an additional sum for interest on the advance at the rate of three and a half per cent. per annum from the date of the advance until the first gale day next after that date.

(3.) Any person liable to pay an annuity in this section mentioned may redeem the same, or any part thereof, or may prepay any instalments thereof in such manner and on such terms as is provided by section fifty-one of the Landlord and Tenant (Ireland) Act, 1870, or in such other manner, and on such other terms, as the Treasury may from time to time approve, having regard to the due repayment of the loan and the protection of the Land Commission against loss by the said loan.

Provision as to purchases and sales by a company.

16. (1.) A public company to whom an advance is made under this Act shall not purchase a leasehold estate for the purposes of this Act, unless the lease is for lives or years renewable for ever, or is for a term of years of which not less than sixty are unexpired at the time when the sale is made, or unless the company have purchased some greater right or interest in the estate in which the leasehold would be merged:

Provided that—

(*a.*) This part of this Act shall not empower the owner of a leasehold holding under a lease containing a prohibition against alienation to sell such leasehold unless such prohibition is determined or is waived; and

(*b.*) Nothing in this section shall prevent the purchase of an estate by reason only of a small part thereof being leasehold.

(2.) Any sale of a holding to a tenant by a company in pursuance of this part of this Act, may be made either in pursuance of Part II. of the Landlord and Tenant (Ireland) Act, 1870, or in such manner as the Land Commission may think expedient; and for the purpose of the application of the said Part II., "price" in section thirty-two of the Landlord and Tenant (Ireland) Act, 1870, shall be deemed to include a fine and a fee farm rent as well as a principal sum, and the enactments relating to the distribution of the price shall apply with the necessary modifications.

Application of certain provisions of the Land Law (Ireland) Act, 1881.

17. (1.) Section thirty of the Land Law (Ireland) Act, 1881, shall apply to all holdings for the purchase of which advances have been made by the Land Commission to a tenant pursuant to this part of this Act.

(2.) Section thirty-three of the said Act, relative to the supply of money by the Treasury, shall be extended and shall apply to the supplying of money for the purpose of advances by the Land Commission, under this part of this Act as fully as it applies to the advances mentioned in that section.

Price of holding may be fixed by arbitration.

18. When an estate has been purchased by a public company to whom an advance has been made by the Land Commission under

this Act, and any difference arises between such company and the tenant of any holding comprised in such estate relative to the sale of such holding to such tenant, either as to price or as to any other term of the contract, the difference shall, if the tenant so requires, be referred to the Land Commission, whose decision thereon shall be binding upon the company and the tenant.

Terms of repayment of advances to companies.

19. Advances made by the Land Commission to a public company in pursuance of this Act shall be made repayable within such periods and at such rate of interest as are set forth in a minute of the Treasury made on the sixteenth day of August one thousand eight hundred and seventy-nine, with reference to loans, to which section two of the Public Works Loans Act, 1879, applies, or as the Treasury may from time to time fix in pursuance of that section.

The security for the repayment of such advances shall be in such form, and shall contain such conditions for obliging the company duly to carry out the purposes specified in this Act as to sales to tenants and otherwise, as the Land Commission may consider proper.

All contracts of sale by a public company to a tenant or other person pursuant to this Act shall be submitted to and shall be subject to the approval of the Land Commission.

If the Land Commission so direct, the purchase money payable by a tenant or other purchaser to a public company shall be paid to the Land Commission, and credited to the company as against any money for the time being owing by the company to the Land Commission.

If the Land Commission so direct, any rentcharge, annuity, or instalments on account of purchase money payable by a tenant or other purchaser to a public company, shall be reserved and made payable to the Land Commission, and all sums received by the Land Commission on account thereof shall be credited against any sums owing by the company to the Land Commission on account of rentcharge, purchase money, or otherwise.

So soon as all sums owing by a public company to the Land Commission shall have been paid and discharged, the Land Commission shall by order direct that such rentcharge, annuities, and instalments as last mentioned remaining unpaid, shall forthwith vest in and become payable to the said public company or its assigns, and the same shall then so vest and become payable accordingly.

Amendment of s. 31 of Land Act.

20. The planting of trees shall be included amongst the purposes for which money may be advanced by the Board of Works under the thirty-first section of the Land Law (Ireland) Act, 1881.

Power to modify in certain cases conditions and limitations in sub-section 3 of 31st section of Land Law (Ireland) Act, 1881, by Board of Works under recommendation of Lord Lieutenant.

21. The conditions and limitations contained in sub-section three of the thirty-first section of the Land Law (Ireland) Act, 1881, may be modified or dispensed with by the Board of Works, with the consent of the Treasury, in any special cases in which the Lord Lieutenant may for special reasons, to be stated under his hand, recommend that it is proper so to do.

PART III.

SUPPLEMENTAL.

Actions by secretary of the grand jury.

22. Whenever any money is payable under this Act by a company to the treasurer of any county, and also whenever a tramway undertaking has become the property of the grand jury of any

county under this Act, the secretary for the time being of the grand jury of that county may bring any action which may be necessary for the purposes of this Act in any court of competent jurisdiction, and may be the nominal plaintiff in such action, and as such entitled to sue on behalf of the grand jury, or of the ratepayers of any barony, and no such action shall abate or be discontinued by reason of the death, removal, or resignation of such secretary.

Amendment of Acts

23. The Tramways (Ireland) Acts are hereby amended as follows:

(1.) The enactment in section one of the Tramways (Ireland) Act, 1860, that it shall not be competent to make application for a tramway or tramways under the provisions of that Act to unite places between which statutory powers for making a railway or railways for directly connecting the same shall have been granted and be in force is hereby repealed, except in cases where such railway shall have been actually constructed, or shall be in actual course of construction, or where the railway company having such powers, shall satisfy the Lord Lieutenant in Council that it is their intention forthwith to proceed in good faith to construct such railway.

(2.) Notwithstanding the enactments to the contrary contained in sections twenty-six and twenty-seven of the Tramways (Ireland) Act, 1860, Orders in Council made under those sections for varying, extending, enlarging, or maintaining any tramway, or for extending the time limited for the completion of a tramway, or for authorising the abandonment of a tramway or part thereof, shall take effect when made, and shall not require to be confirmed by an Act of Parliament.

(3.) The times appointed by the Tramways (Ireland) Acts for the publishing of advertisements, the depositing of maps, plans, books of reference, memorials, and other documents, and the giving of notices may, so far as relates to proceedings under this Act, be varied from time to time by the Lord Lieutenant by Order in Council.

(4.) In the first sub-section of the twenty-ninth section of the Tramways (Ireland) Act, 1860, the period of fourteen days shall be substituted for the period of forty-eight hours, as the period within which the payment or deposit of money as security for the completion of the tramway as therein mentioned may be made.

(5.) Every Order in Council which sanctions a baronial guarantee under this Act may also provide that the forty-second section of the Tramways (Ireland) Act, 1860, shall not apply to the tramway in favour of which such guarantee is sanctioned.

(6.) Notwithstanding the limits prescribed by the fifth section of the Tramways (Ireland) Amendment Act, 1881, for the speed at which locomotives worked by steam may be driven along any tramway, the Board of Trade may from time to time by Order authorise such locomotives to be driven at a speed not exceeding twelve miles an hour elsewhere than through any town or village. So long as a locomotive is being driven on a tramway at a greater distance than thirty feet from

the centre of any public road, the limits of speed prescribed by the Tramways (Ireland) Acts or this Act shall not apply.

Construction of Act.

24. The Tramways (Ireland) Acts, and this Act, shall so far as is consistent with the tenor thereof be construed together.

Interpretation. 23 & 24 Vict. c. 152. 24 & 25 Vict. c. 102. 34 & 35 Vict. c. 114. 39 & 40 Vict. c. 65. 44 & 45 Vict. c. 17.

25. In this Act,—

"The Tramways (Ireland) Acts," means the Tramways (Ireland) Act, 1860, the Tramways (Ireland) Amendment Act, 1861, the Act of the session of the thirty-fourth and thirty-fifth years of the reign of Her present Majesty, chapter one hundred and fourteen, intituled "An Act to amend the Tramways (Ireland) Acts, 1860 and 1861," the Act of the session of the thirty-ninth and fortieth years of the reign of Her present Majesty, chapter sixty-five, intituled "An Act to "amend the Tramways (Ireland) Act, 1860, and the Tram- "ways (Ireland) Amendment Act, 1861, as regards the "application of the same to the county and the county of "the city of Dublin," and the Tramways (Ireland) Amendment Act, 1881.

In the construction of this Act and the Tramways (Ireland) Acts the word "tramway" shall be construed to include for the purposes of this Act a light railway.

The word "company" in this Act shall include a public company, body corporate, or other public body.

"The Treasury" means the Commissioners of Her Majesty's Treasury.

The expression "barony" shall include any specified part or parts of a barony.

Short title.

26. This Act may be cited for all purposes as the Tramways and Public Companies (Ireland) Act, 1883.

CHAPTER 44.

An Act to explain the effect of Section One hundred and ninety-five of the Municipal Corporations Act, 1882.

[25th August 1883.]

WHEREAS doubts have arisen as to the effect of section one hundred and ninety-five of the Municipal Corporations Act, 1882, and it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Short title.

1. This Act may be cited as the Borough Constables Act, 1883.

Explanation of 45 & 46 Vict. c. 50. s. 195.

2. Nothing in section one hundred and ninety-five of the Municipal Corporations Act, 1882, shall be taken to have repealed section twenty of the Town Police Clauses Act, 1847, or section twelve of the Prevention of Crimes Act, 1871.

CHAPTER 45.

An Act for preventing the Sale of Medals resembling Current Coin. [25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited for all purposes as the Counterfeit Medal Act, 1883.

Punishment for selling medals resembling current coin.

2. If any person without due authority or excuse (the proof whereof shall lie on the person accused)—

Makes or has in his possession for sale, or offers for sale, or sells,

Any medal, cast, coin, or other like thing made wholly or partially of metal or any metallic combination and resembling in size, figure, and colour any of the Queen's current gold or silver coin, or having thereon a device resembling any device on any of the Queen's current gold or silver coin, or being so formed that it can by gilding, silvering, colouring, washing, or other like process, be so dealt with as to resemble any of the Queen's current gold or silver coin,

He shall be guilty, in England and Ireland of a misdemeanor, and in Scotland of a crime and offence, and on being convicted, shall be liable to be imprisoned for any term not exceeding one year, with or without hard labour.

Interpretation.

3. "The Queen's current gold or silver coin" includes any gold or silver coin coined in or for any of Her Majesty's mints, or lawfully current by virtue of any proclamation or otherwise in any part of Her Majesty's dominions, whether within the United Kingdom or otherwise.

CHAPTER 46.

An Act to suspend for a limited period, on account of Corrupt Practices, the holding of an Election of a Member or Members to serve in Parliament for certain cities and boroughs. [25th August 1883.]

WHEREAS, in pursuance of addresses to Her Majesty from both Houses of Parliament in relation to election of members to serve in Parliament for the cities and boroughs mentioned in the schedule to this Act, commissioners were appointed by commissions, dated the ninth day of September one thousand eight hundred and eighty, for the purpose of making inquiry into the existence of corrupt practices at the elections of members to serve in Parliament for the said cities and boroughs:

And whereas the said commissioners have respectively reported as regards the existence of corrupt practices to the effect in the second column of the said schedule mentioned:

And whereas it is expedient, with a view to the future consideration by Parliament of the cases of the said cities and boroughs, to

provide temporarily for the suspension of elections in the said cities and boroughs:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Corrupt Practices (Suspension of Elections) Act, 1883.

Suspension of elections in certain cities and boroughs.

2. An election of a member or members to serve in Parliament for any of the cities or boroughs mentioned in the schedule to this Act shall not be held until the expiration of seven days after the meeting of Parliament in the year one thousand eight hundred and eighty-four.

SCHEDULE.

CITIES AND BOROUGHS REFERRED TO.

Name of City or Borough.	Report of Commissioners as to prevalence of corrupt practices.
Boston - -	Corrupt practices prevailed very extensively at the election of 1880. . . . . It was stated as an undoubted fact that all elections, both parliamentary and municipal, have for a long time past been corrupt.
Canterbury - -	Corrupt practices extensively prevailed at the elections of 1879 and 1880.
Chester - -	Corrupt practices extensively prevailed at the general elections of February 1874 and of April 1880.
Gloucester - -	Corrupt practices extensively prevailed at the elections in February 1874 and March 1880.
Macclesfield - -	Corrupt practices extensively prevailed at the elections of 1865, 1868, 1874, and 1880.
Oxford - -	Corrupt practices were committed at the election in February 1874, and corrupt practices extensively prevailed at the elections in March 1874, April 1880, and May 1880, by way of payment of money to voters as therein mentioned.
Sandwich - -	In the election of May 1880, there was practised throughout the constituency, not only indirect bribery of various kinds, but direct bribery, the most extensive and systematic. . . . . Electoral corruption has long extensively prevailed in the borough.

CHAPTER 47.

An Act to extend the power of Nomination in Friendly and Industrial, &c. Societies, and to make further provision for cases of Intestacy in respect of Personal Property of small amount. [25th August 1883.]

WHEREAS under the enactments named in the third section of this Act a member of a friendly, industrial, or other like society to which the said enactments apply may, by writing under his hands delivered at or sent to the registered office of such society,

nominate any person to whom any moneys payable by the society on the death of such member, not exceeding fifty pounds, shall be paid at his decease, and may from time to time revoke or vary such nomination by a writing under his hand similarly delivered or sent, and on receiving satisfactory proof of the death of a nominator such society is bound to pay to the nominee the amount due to such deceased member, not exceeding the sum aforesaid:

And whereas it is desirable to extend the operation of the said enactments:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

Extent and short title of the Act.

1. This Act extends to Great Britain and Ireland, and except section ten of the same, and so much thereof as relates to trade unions, to the Channel Islands, and except the said section ten, and so much as relates to industrial and provident societies and to trade unions, to the Isle of Man, and may be cited as the Provident Nominations and Small Intestacies Act, 1883.

Definition of terms.

2. In this Act the expressions following have the following meanings:—

"Directors" means (1) in the case of a society or branch whose property is vested in trustees, the trustees for the time being; (2) in the case of a Post Office Savings Bank and of a Post Office Savings Bank Insurance, the Postmaster General; (3) in any other case, the directing authority by whatever name it may be called:

"Probate" and "letters of administration" for Scotland mean confirmation:

"Savings bank" means a bank to which the Trustee Savings Bank Act, 1863, applies, and a Post Office Savings Bank:

"Society" includes a registered trade union:

"Office" means in the case of a society registered under the Friendly Societies Acts, the Industrial and Provident Societies Acts, or the Trade Union Acts, the registered office of such society:

In the case of a registered branch under the Friendly Societies Acts, the registered place of such branch:

In the case of a Trustee Savings Bank or of a Trustee Savings Bank Insurance, the office or head office of such bank:

In the case of a Post Office Savings Bank and of a Post Office Savings Bank Insurance, the General Post Office.

38 & 39 Vict. c. 60. s. 15 (3), (4), 39 & 40 Vict. c. 45. s. 11 (5), (6), 39 & 40 Vict. c. 22. s. 10, 26 & 27 Vict. c. 87. ss. 41 to 43. 7 & 8 Vict. c. 83. s. 10, and 45 & 46 Vict. c. 51. s. 6(e), extended to sums not over 100*l.*

3. The following enactments, namely, sub-sections three and four of section fifteen of the Friendly Societies Act, 1875, sub-sections five and six of section eleven of the Industrial and Provident Societies Act, 1876, section ten of the Trade Union Act Amendment Act, 1876, sections forty-one, forty-two, forty-three of the Trustee Savings Bank Act, 1863, section ten of an Act passed in the seventh and eighth years of the reign of Her present Majesty, intituled "An Act to amend the law relating to savings banks, and to the purchase of Government annuities through the medium of savings banks," and sub-head (e) of section six of the Government Annuities Act, 1882, respectively shall be read as if in the said

sections of the said Acts the words one hundred pounds were substituted for the words fifty pounds.

How a nomination may be made.

4. A nomination may be partly printed, and if made in a book kept at the office shall be taken to be delivered at such office.

Nominations by Savings Bank depositors.

5. A depositor in a Savings Bank, not being under sixteen years of age, may by writing under his hand delivered at or sent to the office nominate any person, not being an officer or servant of the directors (unless such officer or servant be the husband, wife, father, mother, child, grandchild, brother, sister, nephew, or niece of the nominator), to whom any sum, not exceeding one hundred pounds, which may remain due to such depositor at his decease may be paid at such decease, and may from time to time revoke or vary such nomination by writing under his hand similarly delivered or sent; and on receiving satisfactory proof of the death of a nominator, the directors shall pay to the nominee the sum due to the deceased depositor, provided it does not exceed one hundred pounds.

Extension of 38 & 39 Vict. c. 60. s. 15 (3), and 39 & 40 Vict. c. 45. s. 11 (5), (6).

6. In sub-section three of section fifteen of the Friendly Societies Act, 1875, and in any nomination under the said Act which takes effect after this Act has come into operation, the words "moneys payable by the society on the death of such member" shall include deposits made by such member under section eighteen of the said Act, and moneys accumulated for the use of such member under section nineteen of the same Act, with the interest on such deposit or moneys respectively. In sub-sections five and six of section eleven of the Industrial and Provident Societies Act, 1876, and in any nomination under the said Act which takes effect after this Act has come into operation, the words "shares" and "interest" respectively shall be taken to include loans and deposits made under sub-section (2 c) of section ten of the said Act.

Provisions in case of intestacy and no nomination.

7. If any member of a registered trade union, entitled from the funds thereof to a sum not exceeding one hundred pounds, dies intestate and without having made any nomination which remains unrevoked at his death, such sum shall be payable, without letters of administration, to the person who appears to a majority of the directors, upon such evidence as they may deem satisfactory, to be entitled by law to receive the same.

Provision for illegitimacy.

8. If a member of any society who is entitled to make a nomination under this Act or the Acts hereby amended is illegitimate, and has died intestate, and without having made any such nomination subsisting at his death, the directors may pay the sum which such member might have nominated to or among the person or persons who, in the opinion of the majority of them, would have been entitled thereto if such member had been legitimate, or, if there are no such persons, then the deposits shall be dealt with as the Commissioners of the Treasury may direct.

Payments made by directors under the power above given.

9. All payments made by directors under the powers aforesaid shall be valid with respect to any demand of any other person as next of kin of a deceased member, or as his lawful representative or person claiming to be such representative, against the society or savings bank, or the directors, but such next of kin, representative, or claimant shall have remedy for recovery of such money, so paid as aforesaid, against the person or persons who shall have received the same.

10. For the prevention of frauds on the revenue it is enacted as follows: Conditions to be observed where fund exceeds 80*l.*

(1.) If the total sum with respect to which a nomination may be made under this Act by any person, or standing to the credit of any person in any society or savings bank at his death exceeds, after deduction of any moneys payable under the registered or certified rules of such society or savings bank or otherwise for the purpose of defraying the funeral expenses of such member the sum of eighty pounds sterling, the directors shall before making any payment to a nominee or otherwise under this Act require production of a duly stamped receipt for the succession or legacy duty payable thereon, or a letter, or a certificate from the Commissioners of Inland Revenue stating that none such is payable; such receipt or certificate shall be given by the said Commissioners upon payment of duty, or satisfactory proof of no duty being payable, as the case may be.

(2.) If, elsewhere than in Scotland, the total personal property, or in Scotland the whole moveable estate, of any person entitled to make a nomination under this Act or the Acts hereby amended, or of any depositor in a savings bank, exceeds one hundred pounds sterling, any sum paid under this Act without probate or letters of administration shall, notwithstanding such nomination or payment, be liable to probate duty as part of the amount on which such duty is charged, and the directors shall be at liberty before making any such payment to require a statutory declaration by the claimant, or by one of the claimants, that the total personal estate of the deceased, including the sum in question, does not after deduction of debts and funeral expenses exceed the value of one hundred pounds. Nomination or payment under this Act not to affect the liability to probate duty.

11. As respects the Channel Islands and the Isle of Man respectively, the following provision shall have effect. When any sum of money becomes payable on the death of a person entitled to make a nomination under this Act or the Acts hereby amended, such sum shall, in default of any direction or nomination such as is contemplated by the Friendly Societies Act, 1875, or by this Act, be paid to the deceased member's legal representative, according to the law of the island in which such deceased member was domiciled. Channel Islands and Isle of Man.

CHAPTER 48.

An Act to enable sanitary authorities in Ireland to take possession of land for the erection of temporary Cholera Hospitals. [25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. On receiving a certificate from a medical officer of health of the union that a case of cholera has occurred within the sanitary district, it shall be lawful for the authorities of that sanitary district, having first obtained the consent in writing of the Local Sanitary authority may take possession of site.

Government Board, to take possession for a temporary hospital of any site except as herein-after mentioned within that sanitary district.

Notice to occupier.

2. It shall be sufficient notice to the owner or the occupier, or other persons affected, if a notice has been posted on the walls of the union, and of the church or chapel nearest to the site within the sanitary district, that it is intended to take possession of such site, and if an affidavit is made that the occupier, if dwelling within the sanitary district, has been served with a copy of such notice, or that a reasonable effort has been made to serve him, or, if living without the sanitary district, that a registered letter has been forwarded to his last known address.

Site not to be within two hundred yards of dwelling house.

3. No site shall be thus taken which is within two hundred yards of a dwelling house, or which has any building or farm or other offices thereon, or which is enclosed or used as a garden, pleasure or recreation ground, or which forms part of any enclosed demesne lands, without the consent of the occupier of such house or lands, or which shall be within two hundred yards of any church, chapel, schoolhouse, factory, workshop, or other building where any trade or mercantile operation is being carried on.

Compensation to occupier.

4. The owner or occupier, or both, shall be entitled to such rent or compensation for damage as the Local Government Board may award, and such rent or damage shall be paid by the sanitary authority of the district within one month after such award is made.

Limit of land to be taken.

5. Not more than two statute acres shall be taken for any site; and within two months after it shall have been certified to the sanitary authority by the medical officer of the district that cholera has ceased to exist within the sanitary district, and that there is no longer any occasion for such temporary hospital, the sanitary authority shall remove same and all foundations, débris, and other materials, and restore surface of the ground to same state in which it was found by them on taking possession, and they shall deliver up the possession to the person in whose occupation it was immediately prior to their taking possession thereof.

Penalties.

6. Any person interfering with the officers of or persons deputed by the sanitary authority when carrying out the provisions of this Act, shall be liable on conviction before a court of summary jurisdiction, composed of not less than two justices or one stipendiary magistrate, to a term of imprisonment not exceeding six months.

Duration of powers of local authorities.

7. The powers conferred upon sanitary authorities by this Act shall not be exercised after the first day of May one thousand eight hundred and eighty-four.

Short title.

8. This Act may be cited for all purposes as the Cholera Hospitals (Ireland) Act, 1883.

Definition of sanitary district.

9. In any case in which the sanitary authorities of any maritime union have been directed by order of the Local Government Board to exercise jurisdiction for the prevention or suppression of cholera over any port which includes portions of any other union or unions, then the words "sanitary district" in this Act shall be construed to include such portions of the lands comprised within the limits of said port as lie within one mile of high-water mark.

Extent of Act.

10. This Act shall extend to Ireland only.

CHAPTER 49.

An Act for promoting the Revision of the Statute Law by repealing various Enactments relating to Civil Procedure or matters connected therewith, and for amending in some respects the Law relating to Civil Procedure.

[25th August 1883.]

WHEREAS with a view to the revision of the Statute Law it is expedient that various enactments (mentioned in the schedule to this Act) which chiefly relate to civil procedure, or matters connected therewith, and which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal by Parliament, or have by lapse of time and change of circumstances become unnecessary, or the subject matter whereof is provided for by or under the Supreme Court of Judicature Act, 1873, and the Acts amending it, or rules made pursuant thereto, or for other reasons, may properly be repealed, be now expressly and specifically repealed: 36 & 37 Vict. c. 66.

And whereas it is expedient that in some respects the law relating to civil procedure be amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Statute Law Revision and Civil Procedure Act, 1883. Short title.

2. This Act shall not extend to Scotland or Ireland. It shall come into operation on the twenty-fourth day of October one thousand eight hundred and eighty-three. Extent and commencement.

3. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications mentioned in this Act and in that schedule. Repeal of enactments scheduled.

4. The enactments mentioned in Part II. of the schedule to the Civil Procedure Acts Repeal Act, 1879, are hereby repealed. Repeal of enactments scheduled in 42 & 43 Vict. c. 59.

5. The repeal effected by this Act shall not affect— Savings.

(*a.*) Anything done or suffered before the passing of this Act under any enactment repealed by this Act; or

(*b.*) Any jurisdiction or principle or rule of law or equity established or confirmed, or right or privilege acquired, or duty or liability imposed or incurred, or compensation secured by or under any enactment repealed by this Act; or

(*c.*) Any right to any hereditary revenues of the Crown or any charges thereon; or

(*d.*) The repeal, confirmation, revival, or perpetuation by any enactment repealed by this Act of any enactment not repealed by this Act; or

(*e.*) The application or incorporation of any enactment repealed by this Act by or under any enactment not repealed by this Act, or by or under any Order in Council, so long as such Order remains in force.

6. (*a.*) This Act shall not be deemed to revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, Abolished procedure not revived.

procedure, or other matter or thing not existing or in force at the passing of this Act.

38 & 39 Vict. c. 77.

(*b.*) No enactment repealed by virtue of section thirty-three of the Supreme Court of Judicature Act, 1875, shall be revived by reason of the annulment or alteration by any new Rules of Court of the rules contained in the First Schedule to that Act.

(*c.*) The enactments relating to the making of Rules of Court, contained in the Supreme Court of Judicature Act, 1875, and the Acts amending it, shall be deemed to extend and apply to the matters contained in and regulated by the enactments repealed by this Act.

Application of repealed enactments in local courts.

7. If and in so far as any enactment repealed by this Act, or by the Civil Procedure Acts Repeal Act, 1879, applies, or may have been by Order in Council applied, to the court of the county palatine of Lancaster, or to any inferior court of civil jurisdiction, such enactment shall be construed as if it were contained in a Local and Personal Act specially relating to such court, and shall have effect accordingly.

Power to apply certain provisions of Judicature Acts and rules to inferior courts.

8. It shall be lawful for the Queen from time to time, by Order in Council, to extend to any inferior court of civil jurisdiction any of the provisions of the Supreme Court of Judicature Act, 1873, and Acts amending it, or of the Rules of Court made thereunder, with any such modifications as may be necessary or desirable, in the same manner as and to the like extent that the provisions of the Common Law Procedure Acts, 1852, 1854, and 1860, and of the general rules made thereunder, might, under the powers given by those Acts, have been extended to any such court.

SCHEDULE.

ENACTMENTS REPEALED.

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee in all cases of statutes included in that edition.

The chapters of the statutes are described by the marginal abstracts given in that edition.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or forming the end of the portion comprised in the description or citation.

11 Hen. 7. c. 12.	An Acte to admytt such psons as are poore to sue in formâ pauperis.
23 Hen. 8. c. 15.	An Acte that the defendant shall recover costs againste the pleyntif if the pleyntiff be nonsuited, or if the verdicte passe againste him.
9 Anne. c. 25., in part.	*An Act the title whereof begins with the words* "An Act for rendering," *and ends with the words* "in corporations and boroughs." In part; namely,—section one from the words "For remedy whereof" down to the end of the section. Section two, section three, and section six.
1 Will. 4. c. 21.	An Act to improve the proceedings in prohibition and on writs of mandamus.
1 Will. 4. c. 22., in part.	An Act to enable courts of law to order the examination of witnesses upon interrogatories and otherwise. In part; namely,—section three, section four, section five, section eight, section nine, section ten, section eleven.
1 & 2 Will. 4. c. 58.	An Act to enable courts of law to give relief against adverse claims made upon persons having no interest in the subject of such claims.
5 & 6 Vict. c. 69.	An Act for perpetuating testimony in certain cases.

6 & 7 Vict. c. 67.	An Act to enable parties to sue out and prosecute writs of error in certain cases upon the proceedings on writs of mandamus.
13 & 14 Vict. c. 35.	An Act to diminish the delay and expense of proceedings in the High Court of Chancery in England.
15 & 16 Vict. c. 76., in part.	The Common Law Procedure Act, 1852. In part; namely,—the whole Act except sect. 23; sects. 104 to 108; sect. 110; sects. 112 to 115; sect. 126; sect. 127; sect. 132; sects. 208 to 220; sect. 226; sect. 235; and sect. 236.
15 & 16 Vict. c. 80., in part.	An Act to abolish the office of Master in Ordinary of the High Court of Chancery, and to make provision for the more speedy and efficient despatch of business in the said Court. In part; namely,—sects. 11 to 15, 26 to 34, 36, 40, 42, 43, 53, 56.
15 & 16 Vict. c. 86., in part.	An Act to amend the Practice and Course of Proceeding in the High Court of Chancery. In part; namely,—sects. 3 to 21, sects. 25 to 42, sects. 44 to 47, sects. 49 to 62, sect. 66, and the schedule.
17 & 18 Vict. c. 125., in part.	The Common Law Procedure Act, 1854. In part; that is to say, the whole Act except sects. 3 to 17, sects. 20 to 30, sect. 59, sect. 87, sect. 89, sects. 103, 106, and 107.
18 & 19 Vict. c. 67.	The Summary Procedure on Bills of Exchange Act, 1855.
21 & 22 Vict. c. 27.	The Chancery Amendment Act, 1858.
23 & 24 Vict. c. 38., in part.	An Act to further amend the law of property. In part; namely,—sect. 14.
23 & 24 Vict. c. 126., in part.	The Common Law Procedure Act, 1860. The whole Act, except sect. 1, sect. 17, sect. 22, sects. 45 and 46.
25 & 26 Vict. c. 42.	The Chancery Regulation Act, 1862.
30 & 31 Vict. c. 64.	An Act to make further provision for the despatch of business in the Court of Appeal in Chancery.

CHAPTER 50.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four, and to appropriate the Supplies granted in this Session of Parliament. [25th August 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grant out of Consolidated Fund.

Issue of 23,734,011*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year

ending on the thirty-first day of March one thousand eight hundred and eighty-four, the sum of twenty-three million seven hundred and thirty-four thousand and eleven pounds.

Power for the Treasury to borrow.

2. The Commissioners of Her Majesty's Treasury may borrow from time to time, on the credit of the said sum of twenty-three million seven hundred and thirty-four thousand and eleven pounds, any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any moneys so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to Her Majesty, amounting, as appears by the said Schedule, in the aggregate, to the sum of fifty-seven million four hundred and eighty-five thousand nine hundred and eighty-eight pounds nine shillings and eightpence, are appropriated and shall be deemed to have been appropriated as from the date of the passing of the first of the Acts mentioned in the said Schedule (A.) for the purposes and services expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

4. If a necessity arise for incurring expenditure not provided for in the sums appropriated to naval and military services by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course, each of the departments entrusted with the control over the said services shall forthwith make application in writing to the Commissioners of Her Majesty's Treasury for their authority to defray temporarily such expenditure out of any surpluses which may have been or which may be effected by the saving of expenditure upon votes within the same department, and in such application the department shall represent to the Commissioners of the Treasury the circumstances which may render such additional expenditure necessary, and thereupon the said Commissioners may authorise the expenditure unprovided for as aforesaid to be temporarily defrayed out of any surpluses which may have been or which may be effected as aforesaid upon votes within the same department; and a statement showing all cases in which the naval and military departments have obtained the sanction of the said Commissioners to any expenditure not provided for in the respective votes aforesaid, accompanied by copies of the representations made to them by the said departments, shall be laid before the House of Commons with the appropriation accounts of navy and army services for the

year, in order that such proceedings may be submitted for the sanction of Parliament, and that provision may be made for the deficiencies upon the several votes for the said services in such manner as Parliament may determine.

The Commissioners of the Treasury shall not authorise any expenditure which may cause an excess upon the aggregate sums appropriated by this Act for naval services and for army services respectively.

Sanction for navy and army expenditure for 1881–82 unprovided for.

5. Whereas the Commissioners of the Treasury, under the powers vested in them by the Act of the session held in the forty-fourth and forty-fifth years of the reign of Her present Majesty, chapter fifty-six, have authorised expenditure not provided for in the sums appropriated by the said Act to certain votes for naval and military services for the year ended on the thirty-first day of March one thousand eight hundred and eighty-two, to be temporarily defrayed out of the balances (including surpluses of appropriations in aid) unexpended in respect of the sums appropriated to certain other votes for naval and military services for the said year; viz.,

1st. Expenditure of one hundred and twenty-one thousand and sixty-seven pounds and eightpence excluding twenty-seven pounds and twelve shillings disallowed by a Committee of the House of Commons, for certain navy services unprovided for, temporarily defrayed out of the unexpended balances of certain votes for navy services, aided by the sum realised in excess of the estimated appropriations in aid.

2d. Expenditure of two hundred and eighty-one thousand eight hundred and four pounds fourteen shillings and twopence for certain army services unprovided for, temporarily defrayed out of the unexpended balances of certain votes for army services, aided by the sum realised in excess of the estimated appropriations in aid:

It is enacted, that the application of the said sums is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half pay, or army, navy, or civil non-effective services until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Commissioners of Her Majesty's Treasury before one of the persons prescribed by such warrant.

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Commissioners of Her Majesty's Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title of Act.

7. This Act may be cited for all purposes as the Appropriation Act, 1883.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - - - -	57,485,988	9	8

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	£	s.	d.	£	s.	d.
1882–83.						
Part 1. Civil Services Deficiencies, 1881–82 - -	3,706	7	2			
,, 2. Army Deficiencies 1881–82 - - -	44,197	2	6			
,, 3. Civil Services and Revenue departments (Supplementary) 1882–83 - - -	576,555	0	0			
,, 4. Navy (Supplementary) 1882–83 - -	350,000	0	0			
,, 5. Army (Supplementary) 1882–83 - -	728,000	0	0			
,, 6. Egypt (Civil Charges of Expedition) 1882–83 -	17,500	0	0			
,, 7. Egyptian Expedition (Grant in Aid) 1882–83 -	500,000	0	0			
,, 8. Transvaal, 1882–83 - - - - -	14,000	0	0			
				2,233,958	9	8
1883–84.						
,, 9. Navy - - - - - - - -				10,752,300	0	0
,, 10. Army - - - - - - - -				15,604,400	0	0
,, 11. Army (Indian Home Charges) - - - - -				1,230,000	0	0
	£					
,, 12. Civil Services, Class I. - - - -	1,926,116					
,, 13. Ditto, Class II. - - - -	2,374,809					
,, 14. Ditto, Class III. - - - -	6,426,969					
,, 15. Ditto, Class IV. - - - -	4,803,656					
,, 16. Ditto, Class V. - - - -	603,184					
,, 17. Ditto, Class VI. - - - -	1,178,502					
,, 18. Ditto, Class VII. - - - -	35,035					
TOTAL CIVIL SERVICES - - - -				17,348,271	0	0
,, 19. Revenue departments, &c. - - - - -				9,662,727	0	0
,, 20. Advances for Greenwich Hospital and School - -				154,332	0	0
,, 21. Afghan War (Grants in Aid) - - - - -				500,000	0	0
				57,485,988	9	8

SCHEDULE (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

For the service of the years ending 31st March 1882 and 1883; viz.:—

	£	s.	d.
Under Act 46 Vict. c. 2. - - - - - -	2,233,958	9	8
For the service of the year ending 31st March 1884:—			
Under Act 46 Vict. c. 2. - - - - - -	4,121,300	0	0
Under Act 46 Vict. c. 5. - - - - - -	6,240,100	0	0
Under Act 46 Vict. c. 13. - - - - - -	5,973,912	0	0
Under Act 46 & 47 Vict. c. 23. - - - - -	15,182,707	0	0
Under this Act - - - - - - -	23,734,011	0	0
TOTAL - - - - -	57,485,988	9	8

SCHEDULE (B.)—Part 1.

Civil Services Deficiencies, 1881–82.

Schedule of Sums granted to make good deficiencies on the several grants herein particularly mentioned for the year ended on the 31st day of March 1882; viz.:—

	£	s.	d.
CIVIL SERVICES.			
Class II.			
Board of Trade	553	5	6
Civil Service Commission	5	14	5
Fishery Board, Scotland	20	6	10
Class III.			
Law Charges and Criminal Prosecutions, Ireland	222	17	0
Supreme Court of Judicature, Ireland	1,080	10	4
Dublin Metropolitan Police	1,551	16	0
Class V.			
Suppression of the Slave Trade	142	5	11
Orange River Territory and St. Helena (Non-Effective Charges)	129	5	8
Class VI.			
Pauper Lunatics, Scotland	0	5	6
Total	3,706	7	2

SCHEDULE (B.)—Part 2.

Army Deficiencies, 1881–82.

	£	s.	d.
For making good Excesses of Army Expenditure beyond the Grants for the year ended on the 31st day of March 1882	44,197	2	6

SCHEDULE (B.)—Part 3.

Civil Services and Revenue Departments Supplementary, 1882–83.

Schedule of Supplementary Sums granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1883; viz.:—

	£
CIVIL SERVICES.	
Class I.	
Royal Parks and Pleasure Grounds	2,400
Houses of Parliament	5,200
County Court Buildings	1,700
Harbours under the Board of Trade	350
Rates on Government Property	6,700
Shannon Navigation	4,741
Royal University, Ireland, Buildings	1,000
Diplomatic and Consular Buildings	2,000
Class II.	
Foreign Office	6,300
Board of Trade	3,500
Charity Commission	2,053
Civil Service Commission	465
Friendly Societies Registry	500
Stationery and Printing	20,280
Office of Works	1,100
Fishery Board, Scotland	627
Household of Lord Lieutenant	18
Chief Secretary for Ireland Offices	2,750
Record Office, Ireland	142

	£
CLASS III.	
Wreck Commission	1,700
Revising Barristers, England	210
Law Charges and Criminal Prosecutions, Ireland	40,000
Irish Land Commission	45,032
County Court Officers, &c., Ireland	15,410
Dublin Metropolitan Police	33,020
Prisons, Ireland	3,000
CLASS IV.	
Public Education, England and Wales	42,122
British Museum	2,050
London University	130
Deep Sea Exploring Expedition (Report)	600
Sydney and Melbourne Exhibitions	63
CLASS V.	
Diplomatic Services	31,312
Consular Services	1,750
Suppression of the Slave Trade	1,182
Suez Canal (British Directors)	128
Grants in Aid of Expenditure in certain Colonies	3,500
South Africa and St. Helena	2,059
Subsidies to Telegraph Companies	6,600
CLASS VI.	
Superannuations and Retired Allowances	4,500
Commutation of Annuities	4,060
CLASS VII.	
Temporary Commissions	500
Miscellaneous Expenses	450
Repayments to Civil Contingencies Fund	7,851
TOTAL CIVIL SERVICES	309,055
REVENUE DEPARTMENTS.	
Customs	17,000
Inland Revenue	11,000
Post Office	138,500
Post Office Packet Service	14,000
Telegraphs	87,000
Grand Total	576,555

SCHEDULE (B.)—PART 4.

NAVY (SUPPLEMENTARY, 1882–83).

For defraying additional Expenditure arising out of military operations in Egypt, incurred during the year ended on the 31st day of March 1883 beyond the Sums granted by Parliament	£ 350,000

SCHEDULE (B.)—PART 5.

ARMY, SUPPLEMENTARY, 1882–83.

For defraying additional Expenditure incurred during the year ended on the 31st day of March 1883, for Army Services consequent on the despatch of an Expeditionary Force to Egypt	£ 728,000

SCHEDULE (B.)—PART 6.

EGYPT (CIVIL CHARGES OF EXPEDITION), 1882–83.

For defraying the expenses incurred during the year ended on the 31st day of March 1883, for certain Civil Charges in connexion with the Expedition to Egypt	£ 17,500

SCHEDULE (B.)—Part 7.

Egyptian Expedition (Grant in Aid), 1882–83.

	£
For a grant in aid of the Expenditure incurred during the year ended on the 31st day of March 1883, by the Government of India upon the Expedition to Egypt	500,000

SCHEDULE (B.)—Part 8.

Transvaal, 1882–83.

	£
For defraying the Expenditure incurred during the year ended on the 31st day of March 1883, connected with the Transvaal	14,000

SCHEDULE (B.)—Part 9.

NAVY.

Schedule of Sums granted to defray the charges of the Navy Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For wages, &c. to 57,250 seamen and marines	2,633,300
2.	For victuals and clothing for seamen and marines	937,400
3.	For the expenses of the Admiralty Office	182,300
4.	For the expense of the coast guard service, the royal naval reserve, and seamen and marine pensioners reserve, and royal naval artillery volunteers	195,800
5.	For the expense of the several scientific departments of the navy	113,100
6.	For the expense of the dockyards and naval yards at home and abroad	1,556,400
7.	For the expense of the victualling yards at home and abroad	71,000
8.	For the expense of the medical establishments at home and abroad	64,900
9.	For the expense of the Marine Divisions	22,300
10.	Sect. 1. For naval stores for building, repairing, and outfitting the fleet and coast guard	1,062,500
,,	Sect. 2. For steam machinery, and ships built by contract, &c.	1,052,600
11.	For new works, buildings, machinery, and repairs in the naval establishments	462,400
12.	For medicines, medical stores, &c.	60,600
13.	For martial law, &c.	10,400
14.	For the expense of various miscellaneous services	119,600
15.	For half pay, reserved half pay, and retired pay to officers of the navy and marines	864,800
16.	Sect. 1. For military pensions and allowances	876,900
,,	Sect. 2. For civil pensions and allowances	329,700
17.	For freight of ships, for the victualling and conveyance of troops, on account of the army department	136,300
	Total Navy Services £	10,752,300

SCHEDULE (B.)—PART 10.

ARMY.

SCHEDULE of SUMS granted to defray the charges for the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For the general staff and regimental pay, allowances, and charges of Her Majesty's land forces at home and abroad, exclusive of charges on India	4,121,300
2.	For divine service	56,000
3.	For administration of military law	36,900
4.	For medical establishments and services	311,000
5.	For the pay and allowances of a force of militia, not exceeding 137,674 men, including 30,000 militia reserve	520,000
6.	For the yeomanry cavalry pay and allowances	69,000
7.	For the volunteer corps pay and allowances	562,800
8.	For the pay and allowances of a number of army reserve first class, not exceeding 31,000, and of the army reserve second class	278,000
9.	For commissariat, transport and ordnance store establishments, wages, &c.	419,600
10.	For provisions, forage, fuel, transport and other services	3,117,000
11.	For clothing establishments, services, and supplies	784,000
12.	For the supply, manufacture, and repair of warlike and other stores, including establishments of manufacturing departments	1,269,500
13.	For superintending establishment of, and expenditure for, works, buildings, and repairs at home and abroad	739,400
14.	For establishments for military education	127,300
15.	For miscellaneous effective services	34,000
16.	For the salaries and miscellaneous charges of the War Office	241,800
17.	For rewards for distinguished services, &c., exclusive of charges on India	22,800
18.	For half-pay, &c., of field marshals, and of general, regimental, and Departmental officers, exclusive of charges on India	80,000
19.	For retired pay, retired full pay, and gratuities, for reduced and retired officers, including payments awarded by Army Purchase Commissioners, exclusive of charges on India	1,134,000
20.	For widows' pensions and gratuities, for allowances on the compassionate list, and for the relief fund, &c., exclusive of charges on India	118,200
21.	For pensions and gratuities to officers for wounds	16,000
22.	For Chelsea and Kilmainham hospitals, and the in-pensioners thereof	32,900
23.	For the out-pensioners of Chelsea Hospital, for pensions granted to discharged Negro soldiers, and for gratuities awarded in lieu of pensions, exclusive of charges on India	1,269,900
24.	For superannuation allowances	195,000
25.	For retired allowances, &c. to officers of the militia, yeomanry, and volunteer forces	48,000
	TOTAL ARMY SERVICES £	15,604,400

SCHEDULE (B.)—PART 11.

ARMY (INDIAN HOME CHARGES).

	For the sum to be transferred in aid of Army Grants to meet the charge incurred in recruiting and training officers and men, and in defraying the non-effective expenditure for the regular forces serving in India, which will come in course of payment during the year ending on the 31st day of March 1884 £	1,230,000

SCHEDULE (B.)—Part 12.

CIVIL SERVICES.—Class I.

Schedule of Sums granted to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For the maintenance and repair of the royal palaces (including a supplementary sum of 4,000*l.*)	40,053
2.	For the maintenance and repair of Marlborough House	2,953
3.	For the royal parks and pleasure gardens	113,322
4.	For the buildings of the Houses of Parliament (including a supplementary sum of 4,895*l.*)	40,115
5.	For the execution and erection of a statue in the Collegiate Church of St. Peter, Westminster, to the memory of the late Right Honourable Benjamin Disraeli, Earl of Beaconsfield, K.G., P.C.	1,050
6.	For the maintenance and repair of public buildings in Great Britain and the Isle of Man, including various special works; for providing the necessary supply of water; for rents of houses hired for accommodation of public departments, and charges attendant thereon	147,762
7.	For the acquisition of a site for the Admiralty and War Office, and preliminary expenses, under the provisions of the Public Offices Site Act, 1882	100,000
8.	For the supply and repair of furniture in the public departments of Great Britain	16,730
9.	For the expenses of the Customs, Inland Revenue, Post Office, and Post Office Telegraph Buildings, in Great Britain, including furniture, fuel, and sundry miscellaneous services	334,312
10.	For new buildings for county courts, maintenance and repair of courts, supply of furniture, fuel, &c., and for charges attendant thereon	35,150
11.	For charges connected with Metropolitan Police Court Buildings	6,175
12.	For one half of the expense of erecting or improving court houses or offices for the sheriff courts in Scotland, and the expense of maintaining the courts erected or improved	9,520
13.	For the purchase of a site, erection of building, and other expenses for the new courts of justice and offices belonging thereto	51,013
14.	For the survey of the United Kingdom, including the revision of the survey of Ireland, maps for use in proceedings before the Land Judges in Ireland, publication of maps, and engraving the geological survey	242,500
15.	For erecting and maintaining new buildings, including rents, &c., for the Department of Science and Art	20,879
16.	For the maintenance and repair of the British Museum and Natural History Museum buildings, for rents of premises, supply of water, fuel, &c., and charges attendant thereon	8,338
17.	For the erection and fittings of a Natural History Museum	13,726
18.	For maintaining certain harbours, &c. under the Board of Trade (including a supplementary sum of 5,323*l.*)	15,016
19.	For rates and contributions in lieu of rates in respect of Government property, and for salaries and expenses of the rating of Government property department	211,880
20.	For contribution to the funds for the establishment and maintenance of a fire brigade in the metropolis	10,000
21.	In aid of the cost of maintenance of disturnpiked and main roads in England and Wales during the year ended on the 25th day of March 1883	200,000
22.	In aid of the cost of maintenance of disturnpiked roads in Scotland during the year ended Whitsuntide 1883	25,000

No.		Sums not exceeding £
23.	For erection, repairs, and maintenance of the several public works and buildings under the department of the Commissioners of Public Works in Ireland, and for the erection of fishery piers, and the maintenance of certain parks, harbours, and navigations	210,546
24.	For enclosing, adapting, and furnishing existing buildings purchased, and for additions to them for the purposes of the Royal University, Ireland	21,000
25.	For expenses preparatory to, and of the erection of the Museum of Science and Art in Dublin, and of additions to the School of Art in Dublin	10,000
26.	For erecting and maintaining certain lighthouses abroad	11,253
27.	For diplomatic and consular buildings, including rents and furniture, and for the maintenance of certain cemeteries abroad	27,823
	TOTAL CIVIL SERVICES, CLASS I. £	1,926,116

SCHEDULE (B.)—PART 13.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884 ; viz. :—

No.		Sums not exceeding £
1.	For salaries and expenses in the offices of the House of Lords	43,485
2.	For salaries and expenses in the offices of the House of Commons (including a supplementary sum of 500*l.*)	51,557
3.	For salaries and expenses of the department of Her Majesty's Treasury and in the office of the Parliamentary Counsel	59,017
4.	For salaries and expenses of the office of Her Majesty's Secretary of State for the Home Department and subordinate offices	92,904
5.	For salaries and expenses of the department of Her Majesty's Secretary of State for Foreign Affairs	67,263
6.	For salaries and expenses of the department of Her Majesty's Secretary of State for the Colonies, including certain expenses connected with Emigration	40,379
7.	For salaries and expenses of the department of Her Majesty's Most Honourable Privy Council and subordinate departments	30,513
8.	For salaries and expenses of the office of the Lord Privy Seal	1,000
9.	For salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments	125,233
10.	For salaries and expenses of the Charity Commission for England and Wales	30,434
11.	For salaries and expenses of the Civil Service Commission	32,347
12.	For salaries and expenses of the department of the Comptroller and Auditor General, including the Chancery Audit Branch	57,220
13.	For salaries and expenses of the Registry of Friendly Societies	8,519
14.	For the salaries and expenses of the office of the Land Commissioners for England, and for defraying the repayable expenses to be incurred in matters of Inclosure and Drainage	24,509
15.	For salaries and expenses of the Local Government Board, including various grants in aid of local taxation	431,047
16.	For salaries and expenses of the office of the Commissioners in Lunacy in England	15,159

No.		Sums not exceeding £
17.	For salaries and expenses of the Mint, including the expenses of the coinage	67,207
18.	For salaries and expenses of the National Debt Office	15,832
19.	For charges connected with the Patent Law Amendment Act, the Registration of Trade Marks Act, and the Registration of Designs Act	32,557
20.	For salaries and expenses of the department of Her Majesty's Paymaster General in London and Dublin	26,784
21.	For salaries and expenses of the establishments under the Public Works Loan Commissioners	9,470
22.	For salaries and expenses of the Public Record Office in England	22,896
23.	For salaries and expenses of the department of the Registrar General of Births, &c. in England	62,985
24.	For stationery, printing, and paper, binding, and printed books, for the several departments of Government in England, Scotland, and Ireland, and some dependencies, and for the two Houses of Parliament; for the salaries and expenses of the Establishment of the Stationery Office, and the cost of Stationery Office publications, and of the Gazette Offices; and for sundry miscellaneous services, including a grant in aid of the publication of Parliamentary Debates	539,110
25.	For salaries and expenses of the office of Woods, Forests, and Land Revenues, and of the office of Land Revenue Records and Inrolments	23,232
26.	For salaries and expenses of the office of the Commissioners of Her Majesty's Works and Public Buildings	49,144
27.	In aid of the Mercantile Marine Fund	40,000
28.	For Her Majesty's foreign and other secret services	23,000
29.	For salaries and expenses of the department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain officers in Scotland, and other charges formerly on the hereditary revenue	6,758
30.	For salaries and expenses of the Fishery Board in Scotland, and for grants in aid of piers or quays	17,740
31.	For salaries and expenses of the Board of Lunacy in Scotland	6,044
32.	For salaries and expenses of the department of the Registrar General of Births, &c. in Scotland	8,321
33.	For salaries and expenses of the Board of Supervision for Relief of the Poor, and for expenses under the Public Health and Vaccination Acts, including certain grants in aid of local taxation in Scotland	28,443
34.	For salaries of the officers and attendants of the household of the Lord Lieutenant of Ireland and other expenses	7,527
35.	For salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and subordinate departments	42,155
36.	For salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland	2,120
37.	For salaries and expenses of the Local Government Board in Ireland, including various grants in aid of local taxation	135,482
38.	For salaries and expenses of the Office of Public Works in Ireland	51,262
39.	For salaries and expenses of the Public Record Office and of the Keeper of the State Papers in Ireland	6,308
40.	For salaries and expenses of the department of the Registrar General of Births, &c., and for expenses of the collection of agricultural and emigration statistics in Ireland	16,061
41.	For salaries and expenses of the general valuation and boundary survey of Ireland	23,785
	Total Civil Services, Class II. - £	2,374,809

SCHEDULE (B.)—PART 14.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For the salaries of the law officers, the salaries and expenses of the department of the Solicitor for the affairs of Her Majesty's Treasury, and of the department of the Queen's Proctor for divorce interventions, the costs of prosecutions, including those relating to the coin, and to bankruptcy, and of other legal proceedings conducted by those departments, and various other legal expenses, including Statute Law Revision and Parliamentary Agency	84,006
2.	For the salaries and expenses of the office of the Director of Public Prosecutions	3,867
3.	For criminal prosecutions at assizes and quarter sessions in England, and for adjudications under the Summary Jurisdiction Act, 1879, for sheriffs expenses, salaries to clerks of assize and other officers, compensation to clerks of the peace and others, and for expenses incurred under Extradition Treaties	195,880
4.	For such of the salaries and expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature, exclusive of the Central Office, as are not charged on the Consolidated Fund	168,237
5.	For the salaries and expenses of the Central Office of the Supreme Court of Judicature, the salaries and expenses of the Judges' Clerks and other officers, of the District Registrars of the High Court, the remuneration of the Judges' Marshals, and certain circuit and other expenses	115,459
6.	For salaries and expenses of the Registries of Probate and Divorce and Matrimonial Causes, &c., in the Probate, Divorce, and Admiralty Division of the High Court of Justice	88,696
7.	For salaries and expenses of the offices of the Admiralty Registrar and Marshal of the Probate, Divorce, and Admiralty Division of the High Court of Justice	10,918
8.	For salaries and expenses of the office of the Wreck Commissioner	13,375
9.	For such of the salaries and expenses of the London Bankruptcy Court as are not charged on the Consolidated Fund	34,677
10.	For salaries and expenses connected with the County Courts	454,122
11.	For salaries and expenses of the Office of Land Registry	5,442
12.	For the expense of revising barristers in England	18,690
13.	For salaries and expenses of the police courts of London and Sheerness	15,638
14.	For contribution toward the expenses of the metropolitan police, and of the horse patrol, and Thames police, and for the salaries of the Commissioner, Assistant Commissioners, and Receiver (including a supplementary sum of 15,328*l.*)	515,233
15.	For certain expenses connected with the police in counties and boroughs in England and Wales, and with the police in Scotland	949,298
15A.	For rewards awarded by the Government to the police and others, through whom the persons concerned in the Dynamite Outrages were detected	1,500
16.	For the expenses of the Directors of convict establishments in England and the Colonies, and of the convict establishments under their control	411,103
17.	For the expenses of the Prisons Commissioners, England, and of the prisons under their control	481,852
18.	For the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools in Great Britain, and for the salaries and expenses of the Inspectors of Reformatories	268,518
19.	For the maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum, England, and of one criminal lunatic in Bethlem Hospital	26,720
20.	For salaries and expenses of the Lord Advocate's department and others connected with criminal proceedings in Scotland, including certain allowances under the Act 15 & 16 Vict. c. 83.	64,370

No.		Sums not exceeding £
21.	For salaries and expenses of the Courts of Law and Justice in Scotland and other legal charges	62,506
22.	For salaries and expenses of the offices in Her Majesty's General Register House, Edinburgh	37,491
23.	For the expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics and the preparation of judicial statistics	109,670
24.	For the expense of criminal prosecutions and other law charges in Ireland, including certain allowances under the Act 15 & 16 Vict. c. 83.	100,235
25.	For such of the salaries and expenses of the Supreme Court of Judicature in Ireland as are not charged on the Consolidated Fund	89,651
26.	For salaries and incidental expenses of the Court of Bankruptcy in Ireland	10,213
27.	For salaries and expenses of the Admiralty Court Registry in Ireland	1,285
28.	For salaries and expenses of the Office for the Registration of Deeds in Ireland	18,727
29.	For salaries and expenses in the Office for the Registration of Judgments in Ireland	2,344
30.	For the salaries and expenses of the office of the Irish Land Commission	157,381
31.	For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and of the revising barristers of the city of Dublin	99,720
32.	For salaries and expenses of the Commissioners of Police, of the police courts and of the metropolitan police establishment of Dublin	139,498
33.	For the expenses of the Constabulary Force in Ireland	1,421,345
34.	For the expense of the General Prisons Board in Ireland, and of the prisons under their control; and of the registration of habitual criminals	145,689
35.	For the expenses of reformatories and industrial schools in Ireland	96,968
36.	For the maintenance of criminal lunatics in Dundrum Criminal Lunatic Asylum, Ireland	6,645
	TOTAL CIVIL SERVICES, CLASS III. £	6,426,969

SCHEDULE (B.)—PART 15.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For public education in England and Wales, including the expenses of the Education Office in London	2,938,930
2.	For salaries and expenses of the Department of Science and Art, and of the establishments connected therewith	365,690
3.	For salaries and expenses of the British Museum, including the amount required for the Natural History Museum	146,019
3A.	For the purchase of certain manuscripts from the collection of the Earl of Ashburnham	45,000
4.	For salaries and expenses of the National Gallery	14,930
5.	For salaries and expenses of the National Portrait Gallery	2,157
6.	For grants in aid of the expenditure of certain learned societies in Great Britain and Ireland	23,650
7.	For salaries and expenses of the University of London	11,749
8.	In aid of the expenses of Aberystwith College	4,000

No.		Sums not exceeding £
9.	For preparing an account of the scientific results of the expedition of Her Majesty's ship "Challenger" in 1873, 1874, 1875, and 1876, to investigate the physical and biological conditions of the great ocean basins, and of arranging the collections made during the expedition	5,800
10.	For the salaries and expenses connected with observations of the Transit of Venus 1882	1,070
11.	For public education in Scotland	465,723
12.	For grants to Scottish Universities	19,052
13.	For the annuity to the Board of Trustees of manufactures in Scotland, in discharge of equivalents under the Treaty of Union, to be applied in maintenance of the National Gallery, School of Art and Museum of Antiquities, Scotland, and for the exhibition of the Torrie Collection of Works of Art, and for other purposes	2,100
13A.	For a contribution towards the establishment of a National Portrait Gallery for Scotland	10,000
14.	For public education under the Commissioners of National Education in Ireland (including a supplementary sum of 100*l.*)	726,339
15.	For the salaries and expenses of the National School Teachers' Superannuation Office, Dublin	1,860
16.	For the salary and expenses of the Office of the Commissioners of Education in Ireland appointed for the regulation of endowed schools	670
17.	For salaries and expenses of the National Gallery of Ireland, and for the purchase of pictures	2,189
18.	In aid of the expenses of the Queen's Colleges in Ireland	14,728
19.	In aid of the expenses of the Royal Irish Academy	2,000
	TOTAL CIVIL SERVICES, CLASS IV. £	4,803,656

SCHEDULE (B.)—PART 16.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For expenses of Her Majesty's embassies and missions abroad (including a supplementary sum of 6,000*l.*)	213,300
2.	For consular establishments abroad, and for other expenditure chargeable on the Consular Vote	252,477
3.	For expenses of the mixed commissions established under the treaties with foreign powers for suppressing the traffic in slaves, and of other establishments in connection with that object, including the Muscat subsidy	10,294
4.	For tonnage bounties, bounties on slaves, costs of captors, &c., and expenses of the Liberated African Department	7,571
5.	For salaries and expenses of the three representatives of Her Majesty's Government on the Council of Administration of the Suez Canal Company	1,670
6.	In aid of colonial local revenue, and for the salaries and allowances of governors, &c., and for other charges connected with the colonies, including expenses incurred under the Pacific Islanders Protection Act, 1875	28,801
7.	For certain charges connected with the Orange River Territory, the Transvaal, Zululand, and the island of St. Helena (including a supplementary sum of 3,808*l.*)	12,525

No.		Sums not exceeding £
8.	For subsidies to telegraph companies and for the salary of the Official Director	35,300
9.	In aid of the revenue of the island of Cyprus	30,000
10.	For the repayment of the balance of the amount advanced out of the Civil Contingencies Fund, for payment to the United States Government in settlement of the Fortune Bay Fishery Claims	11,246
	TOTAL CIVIL SERVICES, CLASS V. £	603,184

SCHEDULE (B.)—PART 17.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For superannuation and retired allowances to persons formerly employed in the public service, and for compassionate or other special allowances and gratuities awarded by the Commissioners of Her Majesty's Treasury	448,737
2.	For pensions to masters and seamen of the merchant service, and to their widows and children	23,400
3.	In aid of the local cost of maintenance of pauper lunatics in England and Wales	447,500
4.	In aid of the local cost of maintenance of pauper lunatics in Scotland	83,500
5.	In aid of the local cost of maintenance of pauper lunatics in Ireland	93,000
6.	For the support of certain hospitals and infirmaries in Ireland	16,925
7.	For making good the deficiency arising from payments for interest to friendly societies	48,588
8.	For miscellaneous, charitable, and other allowances in Great Britain	3,788
9.	For certain miscellaneous, charitable, and other allowances in Ireland	3,642
10.	For enabling the Commissioners of Her Majesty's Treasury to commute, under the provisions of the Act 36 & 37 Vict. c. 57. or otherwise, certain annuities charged on the Exchequer	8,422
11.	For compassionate grants to certain kin of the late William Cochrane in respect to the forfeiture of deposits made by him in the Newry Savings Bank	1,000
	TOTAL CIVIL SERVICES, CLASS VI. £	1,178,502

SCHEDULE (B.)—PART 18.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For salaries and incidental expenses of temporary commissions and committees, including special inquiries	29,123
2.	For certain miscellaneous expenses	5,912
	TOTAL CIVIL SERVICES, CLASS VII. £	35,035

SCHEDULE (B.)—PART 19.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted to defray the charges of the several REVENUE DEPARTMENTS, &c. herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1884; viz.:—

No.		Sums not exceeding £
1.	For salaries and expenses of the Customs Department	1,006,785
2.	For salaries and expenses of the Inland Revenue Department	1,768,366
3.	For salaries and expenses of the Post Office services, the expenses of Post Office savings banks, and Government annuities and insurances, and the collection of the Post Office revenue (including a supplementary sum of 339,466*l.*)	4,463,218
4.	For the Post Office packet service	706,285
5.	For salaries and expenses of the Post Office telegraph service (including a supplementary sum of 200,000*l.*)	1,718,073
	TOTAL REVENUE DEPARTMENTS £	9,662,727

SCHEDULE (B.)—PART 20.

GREENWICH HOSPITAL AND SCHOOL.

	£
Advances during the year ending on the 31st day of March 1884 for defraying the expenses of Greenwich Hospital and School	154,332

SCHEDULE (B.)—PART 21.

AFGHAN WAR (GRANT IN AID).

	£
For paying an instalment of a grant in aid of the expenditure incurred by the Government of India upon the war in Afghanistan in the years 1878–80, which will become due and payable during the year ending on the 31st day of March 1884	500,000

CHAPTER 51.

An Act for the better prevention of Corrupt and Illegal Practices at Parliamentary Elections.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Corrupt Practices.

What is treating.

1. Whereas under section four of the Corrupt Practices Prevention Act, 1854, persons other than candidates at Parliamentary elections are not liable to any punishment for treating, and it is expedient to make such persons liable; be it therefore enacted in substitution for the said section four as follows:—

(1.) Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly

gives or provides, or pays wholly or in part the expense of giving or providing, any meat drink entertainment or provision to or for any person, for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of treating.

(2.) And every elector who corruptly accepts or takes any such meat drink entertainment or provision shall also be guilty of treating.

What is undue influence.

2. Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who shall by abduction, duress, or any fraudulent device or contrivance impede or prevent the free exercise of the franchise of any elector, or shall thereby compel, induce, or prevail upon any elector either to give or to refrain from giving his vote at any election, shall be guilty of undue influence.

What is corrupt practice.

3. The expression "corrupt practice" as used in this Act means any of the following offences; namely, treating and undue influence, as defined by this Act, and bribery, and personation, as defined by the enactments set forth in Part III. of the Third Schedule to this Act, and aiding, abetting, counselling, and procuring the commission of the offence of personation, and every offence which is a corrupt practice within the meaning of this Act shall be a corrupt practice within the meaning of the Parliamentary Elections Act, 1868.

31 & 32 Vict. c. 125.

Punishment of candidate found, on election petition, guilty personally of corrupt practices.

31 & 32 Vict. c. 125.

4. Where upon the trial of an election petition respecting an election for a county or borough the election court, by the report made to the Speaker in pursuance of section eleven of the Parliamentary Elections Act, 1868, reports that any corrupt practice other than treating or undue influence has been proved to have been committed in reference to such election by or with the knowledge and consent of any candidate at such election, or that the offence of treating or undue influence has been proved to have been committed in reference to such election by any candidate at such election, that candidate shall not be capable of ever being elected to or sitting in the House of Commons for the said county or borough, and if he has been elected, his election shall be void; and he shall further be subject to the same incapacities as if at the date of the said report he had been convicted on an indictment of a corrupt practice.

Punishment of candidate found, on election petition, guilty by agents of corrupt practices.

5. Upon the trial of an election petition respecting an election for a county or borough, in which a charge is made of any corrupt practice having been committed in reference to such election, the election court shall report in writing to the Speaker whether any of the candidates at such election has been guilty by his agents of any corrupt practice in reference to such election; and if the report is that any candidate at such election has been guilty by his agents of any corrupt practice in reference to such election, that candidate

shall not be capable of being elected to or sitting in the House of Commons for such county or borough for seven years after the date of the report, and if he has been elected his election shall be void.

Punishment of person convicted on indictment of corrupt practices.

6. (1.) A person who commits any corrupt practice other than personation, or aiding, abetting, counselling, or procuring the commission of the offence of personation, shall be guilty of a misdemeanor, and on conviction on indictment shall be liable to be imprisoned, with or without hard labour, for a term not exceeding one year, or to be fined any sum not exceeding two hundred pounds.

(2.) A person who commits the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence, shall be guilty of felony, and any person convicted thereof on indictment shall be punished by imprisonment for a term not exceeding two years, together with hard labour.

(3.) A person who is convicted on indictment of any corrupt practice shall (in addition to any punishment as above provided) be not capable during a period of seven years from the date of his conviction:

(*a.*) of being registered as an elector or voting at any election in the United Kingdom, whether it be a parliamentary election or an election for any public office within the meaning of this Act; or

(*b.*) of holding any public or judicial office within the meaning of this Act, and if he holds any such office the office shall be vacated.

(4.) Any person so convicted of a corrupt practice in reference to any election shall also be incapable of being elected to and of sitting in the House of Commons during the seven years next after the date of his conviction, and if at that date he has been elected to the House of Commons his election shall be vacated from the time of such conviction.

Illegal Practices.

Certain expenditure to be illegal practice.

7. (1.) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made—

(*a.*) on account of the conveyance of electors to or from the poll, whether for the hiring of horses or carriages, or for railway fares, or otherwise; or

(*b.*) to an elector on account of the use of any house, land, building, or premises for the exhibition of any address, bill, or notice, or on account of the exhibition of any address, bill, or notice; or

(*c.*) on account of any committee room in excess of the number allowed by the First Schedule to this Act.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is knowingly made in contravention of this section either before, during, or after an election, the person making such payment or contract shall be guilty of an illegal practice, and any person receiving such payment or being a party to any such contract, knowing the same to be in contravention of this Act, shall also be guilty of an illegal practice.

(3.) Provided that where it is the ordinary business of an elector as an advertising agent to exhibit for payment bills and advertise-

ments, a payment to or contract with such elector, if made in the ordinary course of business, shall not be deemed to be an illegal practice within the meaning of this section.

Expense in excess of maximum to be illegal practice.

8. (1.) Subject to such exception as may be allowed in pursuance of this Act, no sum shall be paid and no expense shall be incurred by a candidate at an election or his election agent, whether before, during, or after an election, on account of or in respect of the conduct or management of such election, in excess of any maximum amount in that behalf specified in the first schedule to this Act.

(2.) Any candidate or election agent who knowingly acts in contravention of this section shall be guilty of an illegal practice.

Voting by prohibited persons and publishing of false statements of withdrawal to be illegal.

9. (1.) If any person votes or induces or procures any person to vote at any election, knowing that he or such person is prohibited, whether by this or any other Act from voting at such election, he shall be guilty of an illegal practice.

(2.) Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate shall be guilty of an illegal practice.

(3.) Provided that a candidate shall not be liable, nor shall his election be avoided, for any illegal practice under this section committed by his agent other than his election agent.

Punishment on conviction of illegal practice.

10. A person guilty of an illegal practice, whether under the foregoing sections or under the provisions hereinafter contained in this Act, shall on summary conviction be liable to a fine not exceeding one hundred pounds and be incapable during a period of five years from the date of his conviction of being registered as an elector or voting at any election (whether it be a parliamentary election or an election for a public office within the meaning of this Act) held for or within the county or borough in which the illegal practice has been committed.

Report of election court respecting illegal practice, and punishment of candidate found guilty by such report. 31 & 32 Vict. c. 125.

11. Whereas by sub-section fourteen of section eleven of the Parliamentary Elections Act, 1868, it is provided that where a charge is made in an election petition of any corrupt practice having been committed at the election to which the petition refers, the judge shall report in writing to the Speaker as follows:—

(*a.*) "Whether any corrupt practice has or has not been proved to "have been committed by or with the knowledge and consent "of any candidate at such election, and the nature of such "corrupt practice;

(*b.*) "The names of all persons, if any, who have been proved at "the trial to have been guilty of any corrupt practice;

(*c.*) "Whether corrupt practices have, or whether there is reason "to believe corrupt practices have, extensively prevailed at "the election to which the petition relates":

And whereas it is expedient to extend the said sub-section to illegal practices:

Be it therefore enacted as follows:

31 & 32 Vict. c. 125.

Sub-section fourteen of section eleven of the Parliamentary Elections Act, 1868, shall apply as if that sub-section were herein re-enacted with the substitution of illegal practice within the meaning of this Act for corrupt practice; and upon the trial of an election petition respecting an election for a county or borough,

the election court shall report in writing to the Speaker the particulars required by the said sub-section as herein re-enacted, and shall also report whether any candidate at such election has been guilty by his agents of any illegal practice within the meaning of this Act in reference to such election, and the following consequences shall ensue upon the report by the election court to the Speaker; (that is to say,)

(*a.*) If the report is that any illegal practice has been proved to have been committed in reference to such election by or with the knowledge and consent of any candidate at such election, that candidate shall not be capable of being elected to or sitting in the House of Commons for the said county or borough for seven years next after the date of the report, and if he has been elected his election shall be void; and he shall further be subject to the same incapacities as if at the date of the report he had been convicted of such illegal practice; and

(*b.*) If the report is that a candidate at such election has been guilty by his agents of any illegal practice in reference to such election, that candidate shall not be capable of being elected to or sitting in the House of Commons for the said county or borough during the Parliament for which the election was held, and if he has been elected, his election shall be void.

Extension of 15 & 16 Vict. c. 57. respecting election commissioners to illegal practices. 15 & 16 Vict. c. 57. 31 & 32 Vict. c. 125.

12. Whereas by the Election Commissioners Act, 1852, as amended by the Parliamentary Elections Act, 1868, it is enacted that where a joint address of both Houses of Parliament represents to Her Majesty that an election court has reported to the Speaker that corrupt practices have, or that there is reason to believe that corrupt practices have, extensively prevailed at an election in any county or borough, and prays Her Majesty to cause inquiry under that Act to be made by persons named in such address (being qualified as therein mentioned), it shall be lawful for Her Majesty to appoint the said persons to be election commissioners for the purpose of making inquiry into the existence of such corrupt practices:

And whereas it is expedient to extend the said enactments to the case of illegal practices:

Be it therefore enacted as follows:—

15 & 16 Vict. c. 57.

When election commissioners have been appointed in pursuance of the Election Commissioners Act, 1852, and the enactments amending the same, they may make inquiries and act and report as if 'corrupt practices' in the said Act and the enactments amending the same included illegal practices; and the Election Commissioners Act, 1852, shall be construed with such modifications as are necessary for giving effect to this section, and the expression 'corrupt practice' in that Act shall have the same meaning as in this Act.

Illegal Payment, Employment, and Hiring.

Providing of money for illegal practice or payment to be illegal payment.

13. Where a person knowingly provides money for any payment which is contrary to the provisions of this Act, or for any expenses incurred in excess of any maximum amount allowed by this Act, or for replacing any money expended in any such payment or expenses, except where the same may have been previously allowed in pursuance of this Act to be an exception, such person shall be guilty of illegal payment.

Employment of hackney carriages, or of carriages and horses kept for hire.

14. (1.) A person shall not let, lend, or employ for the purpose of the conveyance of electors to or from the poll, any public stage or hackney carriage, or any horse or other animal kept or used for drawing the same, or any carriage, horse, or other animal which he keeps or uses for the purpose of letting out for hire, and if he lets, lends, or employs such carriage, horse, or other animal, knowing that it is intended to be used for the purpose of the conveyance of electors to or from the poll, he shall be guilty of an illegal hiring.

(2.) A person shall not hire, borrow, or use for the purpose of the conveyance of electors to or from the poll any carriage, horse, or other animal which he knows the owner thereof is prohibited by this section to let, lend, or employ for that purpose, and if he does so he shall be guilty of an illegal hiring.

(3.) Nothing in this Act shall prevent a carriage, horse, or other animal being let to or hired, employed, or used by an elector, or several electors at their joint cost, for the purpose of being conveyed to or from the poll.

(4.) No person shall be liable to pay any duty or to take out a license for any carriage by reason only of such carriage being used without payment or promise of payment for the conveyance of electors to or from the poll at an election.

Corrupt withdrawal from a candidature.

15. Any person who corruptly induces or procures any other person to withdraw from being a candidate at an election, in consideration of any payment or promise of payment, shall be guilty of illegal payment, and any person withdrawing, in pursuance of such inducement or procurement, shall also be guilty of illegal payment.

Certain expenditure to be illegal payment.

16. (1.) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made on account of bands of music, torches, flags, banners, cockades, ribbons, or other marks of distinction.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is made in contravention of this section, either before, during, or after an election, the person making such payment shall be guilty of illegal payment, and any person being a party to any such contract or receiving such payment shall also be guilty of illegal payment if he knew that the same was made contrary to law.

Certain employment to be illegal.

17. (1.) No person shall, for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed for payment or promise of payment for any purpose or in any capacity whatever, except for any purposes or capacities mentioned in the first or second parts of the First Schedule to this Act, or except so far as payment is authorised by the first or second parts of the First Schedule to this Act.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any person is engaged or employed in contravention of this section, either before, during, or after an election, the person engaging or employing him shall be guilty of illegal employment, and the person so engaged or employed shall also be guilty of illegal employment if he knew that he was engaged or employed contrary to law.

Name and address of printer on placards.

18. Every bill, placard, or poster having reference to an election shall bear upon the face thereof the name and address of the printer and publisher thereof; and any person printing, publishing, or posting, or causing to be printed, published, or posted, any such bill, placard, or poster as aforesaid, which fails to bear upon the face thereof the name and address of the printer and publisher, shall, if he is the candidate, or the election agent of the candidate, be guilty of an illegal practice, and if he is not the candidate, or the election agent of a candidate, shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Saving for creditors.

19. The provisions of this Act prohibiting certain payments and contracts for payments, and the payment of any sum, and the incurring of any expense in excess of a certain maximum, shall not affect the right of any creditor, who, when the contract was made or the expense was incurred, was ignorant of the same being in contravention of this Act.

Use of committee room in house for sale of intoxicating liquor or refreshment, or in elementary school, to be illegal hiring.

20. (*a.*) Any premises on which the sale by wholesale or retail of any intoxicating liquor is authorised by a licence (whether the licence be for consumption on or off the premises), or

(*b.*) Any premises where any intoxicating liquor is sold, or is supplied to members of a club, society, or association other than a permanent political club, or

(*c.*) Any premises whereon refreshment of any kind, whether food or drink, is ordinarily sold for consumption on the premises, or

(*d.*) The premises of any public elementary school in receipt of an annual parliamentary grant, or any part of any such premises,

shall not be used as a committee room for the purpose of promoting or procuring the election of a candidate at an election, and if any person hires or uses any such premises or any part thereof for a committee room he shall be guilty of illegal hiring, and the person letting such premises or part, if he knew it was intended to use the same as a committee room, shall also be guilty of illegal hiring:

Provided that nothing in this section shall apply to any part of such premises which is ordinarily let for the purpose of chambers or offices or the holding of public meetings or of arbitrations, if such part has a separate entrance and no direct communication with any part of the premises on which any intoxicating liquor or refreshment is sold or supplied as aforesaid.

Punishment of illegal payment, employment, or hiring.

21. (1.) A person guilty of an offence of illegal payment, employment, or hiring shall, on summary conviction, be liable to a fine not exceeding one hundred pounds.

(2.) A candidate or an election agent of a candidate who is personally guilty of an offence of illegal payment, employment, or hiring shall be guilty of an illegal practice.

Excuse and Exception for Corrupt or Illegal Practice or Illegal Payment, Employment, or Hiring.

Report exonerating candidate in certain cases of corrupt and illegal practice by agents.

22. Where, upon the trial of an election petition respecting an election for a county or borough, the election court report that a candidate at such election has been guilty by his agents of the offence of treating and undue influence, and illegal practice, or of

any of such offences, in reference to such election, and the election court further report that the candidate has proved to the court—

(*a.*) That no corrupt or illegal practice was committed at such election by the candidate or his election agent and the offences mentioned in the said report were committed contrary to the orders and without the sanction or connivance of such candidate or his election agent; and

(*b.*) That such candidate and his election agent took all reasonable means for preventing the commission of corrupt and illegal practices at such election; and

(*c.*) That the offences mentioned in the said report were of a trivial, unimportant, and limited character; and

(*d.*) That in all other respects the election was free from any corrupt or illegal practice on the part of such candidate and of his agents;

then the election of such candidate shall not, by reason of the offences mentioned in such report, be void, nor shall the candidate be subject to any incapacity under this Act.

Power of High Court and election court to except innocent act from being illegal practice, &c.

23. Where, on application made, it is shown to the High Court or to an election court by such evidence as seems to the Court sufficient—

(*a.*) that any act or omission of a candidate at any election, or of his election agent or of any other agent or person, would, by reason of being a payment, engagement, employment, or contract in contravention of this Act, or being the payment of a sum or the incurring of expense in excess of any maximum amount allowed by this Act, or of otherwise being in contravention of any of the provisions of this Act, be but for this section an illegal practice, payment, employment, or hiring; and

(*b.*) that such act or omission arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith; and

(*c.*) that such notice of the application has been given in the county or borough for which the election was held as to the court seems fit;

and under the circumstances it seems to the Court to be just that the candidate and the said election and other agent and person, or any of them, should not be subject to any of the consequences under this Act of the said act or omission, the Court may make an order allowing such act or omission to be an exception from the provisions of this Act which would otherwise make the same an illegal practice, payment, employment, or hiring, and thereupon such candidate, agent, or person shall not be subject to any of the consequences under this Act of the said act or omission.

Election Expenses.

Nomination of election agent.

24. (1.) On or before the day of nomination at an election, a person shall be named by or on behalf of each candidate as his agent for such election (in this Act referred to as the election agent).

(2.) A candidate may name himself as election agent, and thereupon shall, so far as circumstances admit, be subject to the pro-

visions of this Act both as a candidate and as an election agent, and any reference in this Act to an election agent shall be construed to refer to the candidate acting in his capacity of election agent.

(3.) On or before the day of nomination the name and address of the election agent of each candidate shall be declared in writing by the candidate or some other person on his behalf to the returning officer, and the returning officer shall forthwith give public notice of the name and address of every election agent so declared.

(4.) One election agent only shall be appointed for each candidate, but the appointment, whether the election agent appointed be the candidate himself or not, may be revoked, and in the event of such revocation or his death, whether such event is before, during, or after the election, then forthwith another election agent shall be appointed, and his name and address declared in writing to the returning officer, who shall forthwith give public notice of the same.

Nomination of deputy election agent as sub-agent.

25. (1.) In the case of the elections specified in that behalf in the First Schedule to this Act an election agent of a candidate may appoint the number of deputies therein mentioned (which deputies are in this Act referred to as sub-agents), to act within different polling districts.

(2.) As regards matters in a polling district the election agent may act by the sub-agent for that district, and anything done for the purposes of this Act by or to the sub-agent in his district shall be deemed to be done by or to the election agent, and any act or default of a sub-agent which, if he were the election agent, would be an illegal practice or other offence against this Act, shall be an illegal practice and offence against this Act committed by the sub-agent, and the sub-agent shall be liable to punishment accordingly; and the candidate shall suffer the like incapacity as if the said act or default had been the act or default of the election agent.

(3.) One clear day before the polling the election agent shall declare in writing the name and address of every sub-agent to the returning officer, and the returning officer shall forthwith give public notice of the name and address of every sub-agent so declared.

(4.) The appointment of a sub-agent shall not be vacated by the election agent who appointed him ceasing to be election agent, but may be revoked by the election agent for the time being of the candidate, and in the event of such revocation or of the death of a sub-agent another sub-agent may be appointed, and his name and address shall be forthwith declared in writing to the returning officer, who shall forthwith give public notice of the same.

Office of election agent and sub-agent.

26. (1.) An election agent at an election for a county or borough shall have within the county or borough, or within any county of a city or town adjoining thereto, and a sub-agent shall have within his district, or within any county of a city or town adjoining thereto, an office or place to which all claims, notices, writs, summons, and documents may be sent, and the address of such office or place shall be declared at the same time as the appointment of the said agent to the returning officer, and shall be stated in the public notice of the name of the agent.

(2.) Any claim, notice, writ, summons, or document delivered at such office or place and addressed to the election agent or sub-agent,

as the case may be, shall be deemed to have been served on him, and every such agent may in respect of any matter connected with the election in which he is acting be sued in any court having jurisdiction in the county or borough in which the said office or place is situate.

Making of contracts through election agent.

27. (1.) The election agent of a candidate by himself or by his sub-agent shall appoint every polling agent, clerk, and messenger employed for payment on behalf of the candidate at an election, and hire every committtee room hired on behalf of the candidate.

(2.) A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election shall not be enforceable against a candidate at such election unless made by the candidate himself or by his election agent, either by himself or by his sub-agent; provided that the inability under this section to enforce such contract against the candidate shall not relieve the candidate from the consequences of any corrupt or illegal practice having been committed by his agent.

Payment of expenses through election agent.

28. (1.) Except as permitted by or in pursuance of this Act, no payment and no advance or deposit shall be made by a candidate at an election or by any agent on behalf of the candidate or by any other person at any time, whether before, during, or after such election, in respect of any expenses incurred on account of or in respect of the conduct or management of such election, otherwise than by or through the election agent of the candidate, whether acting in person or by a sub-agent; and all money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether as gift, loan, advance, or deposit, shall be paid to the candidate or his election agent and not otherwise;

Provided that this section shall not be deemed to apply to a tender of security to or any payment by the returning officer or to any sum disbursed by any person out of his own money for any small expense legally incurred by himself, if such sum is not repaid to him.

(2.) A person who makes any payment, advance, or deposit in contravention of this section, or pays in contravention of this section any money so provided as aforesaid, shall be guilty of an illegal practice.

Period for sending in claims and making payments for election expenses.

29. (1.) Every payment made by an election agent, whether by himself or a sub-agent, in respect of any expenses incurred on account of or in respect of the conduct or management of an election, shall, except where less than forty shillings, be vouched for by a bill stating the particulars and by a receipt.

(2.) Every claim against a candidate at an election or his election agent in respect of any expenses incurred on account of or in respect of the conduct or management of such election which is not sent in to the election agent within the time limited by this Act shall be barred and shall not be paid; and, subject to such exception as may be allowed in pursuance of this Act, an election agent who pays a claim in contravention of this enactment shall be guilty of an illegal practice.

(3.) Except as by this Act permitted, the time limited by this Act for sending in claims shall be fourteen days after the day on which the candidates returned are declared elected.

(4.) All expenses incurred by or on behalf of a candidate at an election, which are incurred on account of or in respect of the conduct or management of such election, shall be paid within the time limited by this Act and not otherwise; and, subject to such exception as may be allowed in pursuance of this Act, an election agent who makes a payment in contravention of this provision shall be guilty of an illegal practice.

(5.) Except as by this Act permitted, the time limited by this Act for the payment of such expenses as aforesaid shall be twenty-eight days after the day on which the candidates returned are declared elected.

(6.) Where the election court reports that it has been proved to such court by a candidate that any payment made by an election agent in contravention of this section was made without the sanction or connivance of such candidate, the election of such candidate shall not be void, nor shall he be subject to any incapacity under this Act by reason only of such payment having been made in contravention of this section.

(7.) If the election agent in the case of any claim sent in to him within the time limited by this Act disputes it, or refuses or fails to pay it within the said period of twenty-eight days, such claim shall be deemed to be a disputed claim.

(8.) The claimant may, if he thinks fit, bring an action for a disputed claim in any competent court; and any sum paid by the candidate or his agent in pursuance of the judgment or order of such court shall be deemed to be paid within the time limited by this Act, and to be an exception from the provisions of this Act, requiring claims to be paid by the election agent.

(9.) On cause shown to the satisfaction of the High Court, such court on application by the claimant or by the candidate or his election agent may by order give leave for the payment by a candidate or his election agent of a disputed claim, or of a claim for any such expenses as aforesaid, although sent in after the time in this section mentioned for sending in claims, or although the same was sent in to the candidate and not to the election agent.

(10.) Any sum specified in the order of leave may be paid by the candidate or his election agent, and when paid in pursuance of such leave shall be deemed to be paid within the time limited by this Act.

Reference to taxation of claim against candidates.

30. If any action is brought in any competent court to recover a disputed claim against a candidate at an election, or his election agent, in respect of any expenses incurred on account or in respect of the conduct or management of such election, and the defendant admits his liability, but disputes the amount of the claim, the said amount shall, unless the court, on the application of the plaintiff in the action, otherwise directs, be forthwith referred for taxation to the master, official referee, registrar, or other proper officer of the court, and the amount found due on such taxation shall be the amount to be recovered in such action in respect of such claim.

Personal expenses of candidate and petty expenses.

31. (1.) The candidate at an election may pay any personal expenses incurred by him on account of or in connexion with or incidental to such election to an amount not exceeding one hundred pounds, but any further personal expenses so incurred by him shall be paid by his election agent.

(2.) The candidate shall send to the election agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid as aforesaid by such candidate.

(3.) Any person may, if so authorised in writing by the election agent of the candidate, pay any necessary expenses for stationery, postage, telegrams, and other petty expenses, to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the election agent.

(4.) A statement of the particulars of payments made by any person so authorised shall be sent to the election agent within the time limited by this Act for the sending in of claims, and shall be vouched for by a bill containing the receipt of that person.

Remuneration of election agent and returning officer's expenses.

32. (1.) So far as circumstances admit, this Act shall apply to a claim for his remuneration by an election agent and to the payment thereof in like manner as if he were any other creditor, and if any difference arises respecting the amount of such claim the claim shall be a disputed claim within the meaning of this Act, and be dealt with accordingly.

(2.) The account of the charges claimed by the returning officer in the case of a candidate and transmitted in pursuance of section four of the Parliamentary Elections (Returning Officers) Act, 1875, shall be transmitted within the time specified in the said section to the election agent of the candidate, and need not be transmitted to the candidate.

38 & 39 Vict. c. 84.

Return and declaration respecting election expenses.

33. (1.) Within thirty-five days after the day on which the candidates returned at an election are declared elected, the election agent of every candidate at that election shall transmit to the returning officer a true return (in this Act referred to as a return respecting election expenses), in the form set forth in the Second Schedule to this Act or to the like effect, containing, as respects that candidate,—

(*a.*) A statement of all payments made by the election agent, together with all the bills and receipts (which bills and receipts are in this Act included in the expression "return respecting election expenses");

(*b.*) A statement of the amount of personal expenses, if any, paid by the candidate;

(*c.*) A statement of the sums paid to the returning officer for his charges, or, if the amount is in dispute, of the sum claimed and the amount disputed;

(*d.*) A statement of all other disputed claims of which the election agent is aware;

(*e.*) A statement of all the unpaid claims, if any, of which the election agent is aware, in respect of which application has been or is about to be made to the High Court;

(*f.*) A statement of all money, securities, and equivalent of money received by the election agent from the candidate or any other person for the purpose of expenses incurred or to be incurred on account of or in respect of the conduct or management of the election, with a statement of the name of every person from whom the same may have been received.

(2.) The return so transmitted to the returning officer shall be accompanied by a declaration made by the election agent before a

justice of the peace in the form in the Second Schedule to this Act (which declaration is in this Act referred to as a declaration respecting election expenses).

(3.) Where the candidate has named himself as his election agent, a statement of all money, securities, and equivalent of money paid by the candidate shall be substituted in the return required by this section to be transmitted by the election agent for the like statement of money, securities, and equivalent of money received by the election agent from the candidate; and the declaration by an election agent respecting election expenses need not be made, and the declaration by the candidate respecting election expenses shall be modified as specified in the Second Schedule to this Act.

(4.) At the same time that the agent transmits the said return, or within seven days afterwards, the candidate shall transmit or cause to be transmitted to the returning officer a declaration made by him before a justice of the peace, in the form in the first part of the Second Schedule to this Act (which declaration is in this Act referred to as a declaration respecting election expenses).

(5.) If in the case of an election for any county or borough, the said return and declarations are not transmitted before the expiration of the time limited for the purpose, the candidate shall not, after the expiration of such time, sit or vote in the House of Commons as member for that county or borough until either such return and declarations have been transmitted, or until the date of the allowance of such an authorised excuse for the failure to transmit the same, as in this Act mentioned, and if he sits or votes in contravention of this enactment he shall forfeit one hundred pounds for every day on which he so sits or votes to any person who sues for the same.

(6.) If without such authorised excuse as in this Act mentioned, a candidate or an election agent fails to comply with the requirements of this section he shall be guilty of an illegal practice.

(7.) If any candidate or election agent knowingly makes the declaration required by this section falsely, he shall be guilty of an offence, and on conviction thereof on indictment shall be liable to the punishment for wilful and corrupt perjury; such offence shall also be deemed to be a corrupt practice within the meaning of this Act.

(8.) Where the candidate is out of the United Kingdom at the time when the return is so transmitted to the returning officer, the declaration required by this section may be made by him within fourteen days after his return to the United Kingdom, and in that case shall be forthwith transmitted to the returning officer, but the delay hereby authorised in making such declaration shall not exonerate the election agent from complying with the provisions of this Act as to the return and declaration respecting election expenses.

(9.) Where, after the date at which the return respecting election expenses is transmitted, leave is given by the High Court for any claims to be paid, the candidate or his election agent shall, within seven days after the payment thereof, transmit to the returning officer a return of the sums paid in pursuance of such leave accompanied by a copy of the order of the court giving the leave, and in

default he shall be deemed to have failed to comply with the requirements of this section without such authorised excuse as in this Act mentioned.

Authorised excuse for non-compliance with provisions as to return and declaration respecting election expenses.

34. (1.) Where the return and declarations respecting election expenses of a candidate at an election for a county or borough have not been transmitted as required by this Act, or being transmitted contain some error or false statement, then—

(*a.*) if the candidate applies to the High Court or an election court and shows that the failure to transmit such return and declarations, or any of them, or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or of the absence, death, illness, or misconduct of his election agent or sub-agent or of any clerk or officer of such agent, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant, or

(*b.*) if the election agent of the candidate applies to the High Court or an election court and shows that the failure to transmit the return and declarations which he was required to transmit, or any part thereof, or any error or false statement therein, arose by reason of his illness or of the death or illness of any prior election agent of the candidate, or of the absence, death, illness, or misconduct of any sub-agent, clerk, or officer of an election agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant,

the court may, after such notice of the application in the said county or borough, and on production of such evidence of the grounds stated in the application, and of the good faith of the application, and otherwise, as to the court seems fit, make such order for allowing an authorised excuse for the failure to transmit such return and declaration, or for an error or false statement in such return and declaration, as to the court seems just.

(2.) Where it appears to the court that any person being or having been election agent or sub-agent has refused or failed to make such return or to supply such particulars as will enable the candidate and his election agent respectively to comply with the provisions of this Act as to the return and declaration respecting election expenses, the court before making an order allowing the excuse as in this section mentioned shall order such person to attend before the court, and on his attendance shall, unless he shows cause to the contrary, order him to make the return and declaration, or to deliver a statement of the particulars required to be contained in the return, as to the court seem just, and to make or deliver the same within such time and to such person and in such manner as the court may direct, or may order him to be examined with respect to such particulars, and may in default of compliance with any such order order him to pay a fine not exceeding five hundred pounds.

(3.) The order may make the allowance conditional upon the making of the return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the court seem best calculated for carrying into effect the objects of this Act; and an order allowing an authorised excuse shall

relieve the applicant for the order from any liability or consequences under this Act in respect of the matter excused by the order; and where it is proved by the candidate to the court that any act or omission of the election agent in relation to the return and declaration respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing such act or omission, the court shall relieve the candidate from the consequences of such act or omission on the part of his election agent.

(4.) The date of the order, or if conditions and terms are to be complied with, the date at which the applicant fully complies with them, is referred to in this Act as the date of the allowance of the excuse.

Publication of summary of return of election expenses.

35. (1.) The returning officer at an election within ten days after he receives from the election agent of a candidate a return respecting election expenses shall publish a summary of the return in not less than two newspapers circulating in the county or borough for which the election was held, accompanied by a notice of the time and place at which the return and declarations (including the accompanying documents) can be inspected, and may charge the candidate in respect of such publication, and the amount of such charge shall be the sum allowed by the Parliamentary Elections (Returning Officers) Act, 1875.

38 & 39 Vict. c. 84.

(2.) The return and declarations (including the accompanying documents) sent to the returning officer by an election agent shall be kept at the office of the returning officer, or some convenient place appointed by him, and shall at all reasonable times during two years next after they are received by the returning officer be open to inspection by any person on payment of a fee of one shilling, and the returning officer shall on demand furnish copies thereof or any part thereof at the price of twopence for every seventy-two words. After the expiration of the said two years the returning officer may cause the said return and declarations, (including the accompanying documents,) to be destroyed, or, if the candidate or his election agent so require, shall return the same to the candidate.

Disqualification of Electors.

Prohibition of persons guilty of corrupt or illegal practices, &c. from voting.

36. Every person guilty of a corrupt or illegal practice or of illegal employment, payment, or hiring at an election is prohibited from voting at such election, and if any such person votes his vote shall be void.

Prohibition of disqualified persons from voting.

35 & 36 Vict. c. 60.

45 & 46 Vict. c. 50.

37. Every person who, in consequence of conviction or of the report of any election court or election commissioners under this Act, or under the Corrupt Practices (Municipal Elections) Act, 1872, or under Part IV. of the Municipal Corporations Act, 1882, or under any other Act for the time being in force relating to corrupt practices at an election for any public office, has become incapable of voting at any election, whether a parliamentary election or an election to any public office, is prohibited from voting at any such election, and his vote shall be void.

Hearing of person before he is reported guilty of corrupt or illegal

38. (1.) Before a person, not being a party to an election petition nor a candidate on behalf of whom the seat is claimed by an election petition, is reported by an election court, and before any

person is reported by election commissioners, to have been guilty, at an election, of any corrupt or illegal practice, the court or commissioners, as the case may be, shall cause notice to be given to such person, and if he appears in pursuance of the notice, shall give him an opportunity of being heard by himself and of calling evidence in his defence to show why he should not be so reported. practice, and incapacity of person reported guilty.

(2.) Every person reported by election commissioners to have been guilty at an election of any corrupt or illegal practice may appeal against such report to the next court of oyer and terminer or gaol delivery held in and for the county or place in which the offence is alleged to have been committed, and such court may hear and determine the appeal; and subject to rules of court such appeal may be brought, heard, and determined in like manner as if the court were a court of quarter sessions and the said commissioners were a court of summary jurisdiction, and the person so reported had been convicted by a court of summary jurisdiction for an offence under this Act, and notice of every such appeal shall be given to the Director of Public Prosecutions in the manner and within the time directed by rules of court, and subject to such rules then within three days after the appeal is brought.

(3.) Where it appears to the Lord Chancellor that appeals under this section are interfering or are likely to interefere with the ordinary business transacted before any courts of oyer and terminer or gaol delivery, he may direct that the said appeals, or any of them, shall be heard by the judges for the time being on the rota for election petitions, and in such case one of such judges shall proceed to the county or place in which the offences are alleged to have been committed, and shall there hear and determine the appeals in like manner as if such judge were a court of oyer and terminer.

(4.) The provisions of the Parliamentary Elections Act, 1868, with respect to the reception and powers of and attendance on an election court, and to the expenses of an election court, and of receiving and accommodating an election court, shall apply as if such judge were an election court.

(5.) Every person who after the commencement of this Act is reported by any election court or election commissioners to have been guilty of any corrupt or illegal practice at an election, shall, whether he obtained a certificate of indemnity or not, be subject to the same incapacity as he would be subject to if he had at the date of such election been convicted of the offence of which he is reported to have been guilty: Provided that a report of any election commissioners inquiring into an election for a county or borough shall not avoid the election of any candidate who has been declared by an election court on the trial of a petition respecting such election to have been duly elected at such election or render him incapable of sitting in the House of Commons for the said county or borough during the Parliament for which he was elected.

(6.) Where a person who is a justice of the peace is reported by any election court or election commissioners to have been guilty of any corrupt practice in reference to an election, whether he has obtained a certificate of indemnity or not, it shall be the duty of the Director of public prosecutions to report the case to the Lord High Chancellor of Great Britain with such evidence as may have

been given of such corrupt practice, and where any such person acts as a justice of the peace by virtue of his being, or having been, mayor of a borough, the Lord High Chancellor shall have the same power to remove such person from being a justice of the peace as if he was named in a commission of the peace.

(7.) Where a person who is a barrister or a solicitor, or who belongs to any profession the admission to which is regulated by law, is reported by any election court or election commissioners to have been guilty of any corrupt practice in reference to an election, whether such person has obtained a certificate of indemnity or not, it shall be the duty of the Director of public prosecutions to bring the matter before the Inn of Court, High Court, or tribunal having power to take cognizance of any misconduct of such person in his profession, and such Inn of Court, High Court, or tribunal may deal with such person in like manner as if such corrupt practice were misconduct by such person in his profession.

(8.) With respect to a person holding a licence or certificate under the Licensing Acts (in this section referred to as a licensed person) the following provisions shall have effect:

(*a.*) If it appears to the court by which any licensed person is convicted of the offence of bribery or treating that such offence was committed on his licensed premises, the court shall direct such conviction to be entered in the proper register of licenses.

(*b.*) If it appears to an election court or election commissioners that a licensed person has knowingly suffered any bribery or treating in reference to any election to take place upon his licensed premises, such court or commissioners (subject to the provisions of this Act as to a person having an opportunity of being heard by himself and producing evidence before being reported) shall report the same; and whether such person obtained a certificate of indemnity or not it shall be the duty of the Director of Public Prosecutions to bring such report before the licensing justices from whom or on whose certificate the licensed person obtained his licence, and such licensing justices shall cause such report to be entered in the proper register of licenses.

(*c.*) Where an entry is made in the register of licenses of any such conviction of or report respecting any licensed person as above in this section mentioned, it shall be taken into consideration by the licensing justices in determining whether they will or will not grant to such person the renewal of his license or certificate, and may be a ground, if the justices think fit, for refusing such renewal.

(9.) Where the evidence showing any corrupt practice to have been committed by a justice of the peace, barrister, solicitor, or other professional person, or any licensed person, was given before election commissioners, those commissioners shall report the case to the Director of public prosecutions, with such information as is necessary or proper for enabling him to act under this section.

(10.) This section shall apply to an election court under this Act, or under Part IV. of the Municipal Corporations Act, 1882, and the expression election shall be construed accordingly.

List in register of voters of persons incapacitated for voting by corrupt or illegal practices.

39. (1.) The registration officer in every county and borough shall annually make out a list containing the names and description of all persons who, though otherwise qualified to vote at a parliamentary election for such county or borough respectively, are not capable of voting by reason of having after the commencement of this Act been found guilty of a corrupt or illegal practice on conviction or by the report of any election court or election commissioners whether under this Act, or under Part IV. of the Municipal Corporations Act, 1882, or under any other Act for the time being in force relating to a parliamentary election or an election to any public office; and such officer shall state in the list (in this Act referred to as the corrupt and illegal practices list), the offence of which each person has been found guilty.

45 & 46 Vict. c. 50.

(2.) For the purpose of making out such list he shall examine the report of any election court or election commissioners who have respectively tried an election petition or inquired into an election where the election (whether a parliamentary election or an election to any public office) was held in any of the following places; that is to say,

(*a.*) if he is the registration officer of a county, in that county, or in any borough in that county; and

(*b.*) if he is the registration officer of a borough, in the county in which such borough is situate, or in any borough in that county.

(3.) The registration officer shall send the list to the overseers of every parish within his county or borough, together with his precept, and the overseers shall publish the list together with the list of voters, and shall also, in the case of every person in the corrupt and illegal practices list, omit his name from the list of persons entitled to vote, or, as circumstances require, add 'objected' before his name in the list of claimants or copy of the register published by them, in like manner as is required by law in any other cases of disqualification.

(4.) Any person named in the corrupt and illegal practices list may claim to have his name omitted therefrom, and any person entitled to object to any list of voters for the county or borough may object to the omission of the name of any person from such list. Such claims and objections shall be sent in within the same time and be dealt with in like manner, and any such objection shall be served on the person referred to therein in like manner, as nearly as circumstances admit, as other claims and objections under the enactments relating to the registration of parliamentary electors.

(5.) The revising barrister shall determine such claims and objections and shall revise such list in like manner as nearly as circumstances admit as in the case of other claims and objections, and of any list of voters.

(6.) Where it appears to the revising barrister that a person not named in the corrupt and illegal practices list is subject to have his name inserted in such list, he shall (whether an objection to the omission of such name from the list has or has not been made, but) after giving such person an opportunity of making a statement to show cause to the contrary, insert his name in such list and expunge his name from any list of voters.

(7.) A revising barrister in acting under this section shall determine only whether a person is incapacitated by conviction or by the report of any election court or election commissioners, and shall not determine whether a person has or not been guilty of any corrupt or illegal practice.

(8.) The corrupt and illegal practices list shall be appended to the register of electors, and shall be printed and published therewith wherever the same is printed or published.

Proceedings on Election Petition.

Time for presentation of election petitions alleging illegal practice. 31 & 32 Vict. c. 125.

40. (1.) Where an election petition questions the return or the election upon an allegation of an illegal practice, then notwithstanding anything in the Parliamentary Elections Act, 1868, such petition, so far as respects such illegal practice, may be presented within the time following; (that is to say),

(*a.*) At any time before the expiration of fourteen days after the day on which the returning officer receives the return and declarations respecting election expenses by the member to whose election the petition relates and his election agent.

(*b.*) If the election petition specifically alleges a payment of money, or some other act to have been made or done since the said day by the member or an agent of the member, or with the privity of the member or his election agent in pursuance or in furtherance of the illegal practice alleged in the petition, the petition may be presented at any time within twenty-eight days after the date of such payment or other act.

(2.) Any election petition presented within the time limited by the Parliamentary Elections Act, 1868, may for the purpose of questioning the return or the election upon an allegation of an illegal practice be amended with the leave of the High Court within the time within which a petition questioning the return upon the allegation of that illegal practice can under this section be presented. 31 & 32 Vict. c. 125.

(3.) This section shall apply in the case of an offence relating to the return and declarations respecting election expenses in like manner as if it were an illegal practice, and also shall apply notwithstanding that the act constituting the alleged illegal practice amounted to a corrupt practice.

(4.) For the purposes of this section—

(*a.*) where the return and declarations are received on different days, the day on which the last of them is received, and

(*b.*) where there is an authorised excuse for failing to make and transmit the return and declarations respecting election expenses, the date of the allowance of the excuse, or if there was a failure as regards two or more of them, and the excuse was allowed at different times, the date of the allowance of the last excuse,

shall be substituted for the day on which the return and declarations are received by the returning officer.

(5.) For the purposes of this section, time shall be reckoned in like manner as it is reckoned for the purposes of the Parliamentary Elections Act, 1868.

Withdrawal of election petition.

41. (1.) Before leave for the withdrawal of an election petition is granted, there shall be produced affidavits by all the parties to the petition and their solicitors, and by the election agents of all of

the said parties who were candidates at the election, but the High Court may on cause shown dispense with the affidavit of any particular person if it seems to the court on special grounds to be just so to do.

(2.) Each affidavit shall state that, to the best of the deponent's knowledge and belief, no agreement or terms of any kind whatsoever has or have been made, and no undertaking has been entered into, in relation to the withdrawal of the petition; but if any lawful agreement has been made with respect to the withdrawal of the petition, the affidavit shall set forth that agreement, and shall make the foregoing statement subject to what appears from the affidavit.

(3.) The affidavits of the applicant and his solicitor shall further state the ground on which the petition is sought to be withdrawn.

(4.) If any person makes any agreement or terms, or enters into any undertaking, in relation to the withdrawal of an election petition, and such agreement, terms, or undertaking is or are for the withdrawal of the election petition in consideration of any payment, or in consideration that the seat shall at any time be vacated, or in consideration of the withdrawal of any other election petition, or is or are (whether lawful or unlawful) not mentioned in the aforesaid affidavits, he shall be guilty of a misdemeanor, and shall be liable on conviction on indictment to imprisonment for a term not exceeding twelve months, and to a fine not exceeding two hundred pounds.

(5.) Copies of the said affidavits shall be delivered to the Director of public prosecutions a reasonable time before the application for the withdrawal is heard, and the court may hear the Director of public prosecutions or his assistant or other representative (appointed with the approval of the Attorney-General), in opposition to the allowance of the withdrawal of the petition, and shall have power to receive the evidence on oath of any person or persons whose evidence the Director of Public Prosecutions or his assistant, or other representative, may consider material.

(6.) Where in the opinion of the court the proposed withdrawal of a petition was the result of any agreement, terms, or undertaking prohibited by this section, the court shall have the same power with respect to the security as under section thirty-five of the Parliamentary Elections Act, 1868, where the withdrawal is induced by a corrupt consideration. 31 & 32 Vict. c. 125.

(7.) In every case of the withdrawal of an election petition the court shall report to the Speaker whether, in the opinion of such court, the withdrawal of such petition was the result of any agreement, terms, or undertaking, or was in consideration of any payment, or in consideration that the seat should at any time be vacated, or in consideration of the withdrawal of any other election petition, or for any other consideration, and if so, shall state the circumstances attending the withdrawal.

(8.) Where more than one solicitor is concerned for the petitioner or respondent, whether as agent for another solicitor or otherwise, the affidavit shall be made by all such solicitors.

(9.) Where a person not a solicitor is lawfully acting as agent in the case of an election petition, that agent shall be deemed to be a solicitor for the purpose of making an affidavit in pursuance of this section.

Continuation of trial of election petition.

42. The trial of every election petition so far as is practicable, consistently with the interests of justice in respect of such trial, shall be continued de die in diem on every lawful day until its conclusion, and in case the rota of judges for the year shall expire before the conclusion of the trial, or of all the proceedings in relation or incidental to the petition, the authority of the said judges shall continue for the purpose of the said trial and proceedings.

Attendance of Director of public prosecutions on trial of election petition, and prosecution by him of offenders.

43. (1.) On every trial of an election petition the Director of public prosecutions shall by himself or by his assistant, or by such representative as herein-after mentioned, attend at the trial, and it shall be the duty of such Director to obey any directions given to him by the election court with respect to the summoning and examination of any witness to give evidence on such trial, and with respect to the prosecution by him of offenders, and with respect to any person to whom notice is given to attend with a view to report him as guilty of any corrupt or illegal practice.

(2.) It shall also be the duty of such Director, without any direction from the election court, if it appears to him that any person is able to give material evidence as to the subject of the trial, to cause such person to attend the trial, and with the leave of the court to examine such person as a witness.

(3.) It shall also be the duty of the said Director, without any direction from the election court, if it appears to him that any person who has not received a certificate of indemnity has been guilty of a corrupt or illegal practice, to prosecute such person for the offence before the said court, or if he thinks it expedient in the interests of justice before any other competent court.

(4.) Where a person is prosecuted before an election court for any corrupt or illegal practice, and such person appears before the court, the court shall proceed to try him summarily for the said offence, and such person, if convicted thereof upon such trial, shall be subject to the same incapacities as he is rendered subject to under this Act upon conviction, whether on indictment or in any other proceeding for the said offence; and further, may be adjudged by the court, if the offence is a corrupt practice, to be imprisoned, with or without hard labour, for a term not exceeding six months, or to pay a fine not exceeding two hundred pounds, and if the offence is an illegal practice, to pay such fine as is fixed by this Act for the offence;

Provided that, in the case of a corrupt practice, the court, before proceeding to try summarily any person, shall give such person the option of being tried by a jury.

(5.) Where a person is so prosecuted for any such offence, and either he elects to be tried by a jury or he does not appear before the court, or the court thinks it in the interests of justice expedient that he should be tried before some other court, the court, if of opinion that the evidence is sufficient to put the said person upon his trial for the offence, shall order such person to be prosecuted on indictment or before a court of summary jurisdiction, as the case may require, for the said offence; and in either case may order him to be prosecuted before such court as may be named in the order; and for all purposes preliminary and of and incidental to such

prosecution the offence shall be deemed to have been committed within the jurisdiction of the court so named.

(6.) Upon such order being made,

(*a.*) if the accused person is present before the court, and the offence is an indictable offence, the court shall commit him to take his trial, or cause him to give bail to appear and take his trial for the said offence; and

(*b.*) if the accused person is present before the court, and the offence is not an indictable offence, the court shall order him to be brought before the court of summary jurisdiction before whom he is to be prosecuted, or cause him to give bail to appear before that court; and

(*c.*) if the accused person is not present before the court, the court shall as circumstances require issue a summons for his attendance, or a warrant to apprehend him and bring him, before a court of summary jurisdiction, and that court, if the offence is an indictable offence, shall, on proof only of the summons or warrant and the identity of the accused, commit him to take his trial, or cause him to give bail to appear and take his trial for the said offence, or if the offence is punishable on summary conviction, shall proceed to hear the case, or if such court be not the court before whom he is directed to be prosecuted, shall order him to be brought before that court.

(7.) The Director of public prosecutions may nominate, with the approval of the Attorney-General, a barrister or solicitor of not less than ten years standing to be his representative for the purpose of this section, and that representative shall receive such remuneration as the Commissioners of Her Majesty's Treasury may approve. There shall be allowed to the Director and his assistant or representative, for the purposes of this section, such allowance for expenses as the Commissioners of Her Majesty's Treasury may approve.

(8.) The costs incurred in defraying the expenses of the Director of public prosecutions under this section (including the remuneration of his representative) shall, in the first instance, be paid by the Commissioners of Her Majesty's Treasury, and so far as they are not in the case of any prosecution paid by the defendant shall be deemed to be expenses of the election court; but if for any reasonable cause it seems just to the court so to do, the court shall order all or part of the said costs to be repaid to the Commissioners of Her Majesty's Treasury by the parties to the petition, or such of them as the court may direct.

Power to election court to order payment by county or borough or individual of costs of election petition.

44. (1.) Where upon the trial of an election petition respecting an election for a county or borough it appears to the election court that a corrupt practice has not been proved to have been committed in reference to such election by or with the knowledge and consent of the respondent to the petition, and that such respondent took all reasonable means to prevent corrupt practices being committed on his behalf, the court may make one or more orders with respect to the payment either of the whole or such part of the costs of the petition as the court may think right as follows;

(*a.*) if it appears to the court that corrupt practices extensively prevailed in reference to the said election, the court may order

the whole or part of the costs to be paid by the county or borough; and

(*b.*) if it appears to the court that any person or persons is or are proved, whether by providing money or otherwise, to have been extensively engaged in corrupt practices, or to have encouraged or promoted extensive corrupt practices in reference to such election, the court may, after giving such person or persons an opportunity of being heard by counsel or solicitor and examining and cross-examining witnesses to show cause why the order should not be made, order the whole or part of the costs to be paid by that person, or those persons or any of them, and may order that if the costs cannot be recovered from one or more of such persons they shall be paid by some other of such persons or by either of the parties to the petition.

(2.) Where any person appears to the court to have been guilty of the offence of a corrupt or illegal practice, the court may, after giving such person an opportunity of making a statement to show why the order should not be made, order the whole or any part of the costs of or incidental to any proceeding before the court in relation to the said offence or to the said person to be paid by the said person.

(3.) The rules and regulations of the Supreme Court of Judicature with respect to costs to be allowed in actions, causes, and matters in the High Court shall in principle and so far as practicable apply to the costs of petition and other proceedings under the Parliamentary Elections Act, 1868, and under this Act, and the taxing officer shall not allow any costs, charges, or expenses on a higher scale than would be allowed in any action, cause, or matter in the High Court on the higher scale, as between solicitor and client.

Miscellaneous.

Inquiry by Director of public prosecutions into alleged corrupt or illegal practices.

45. Where information is given to the Director of public prosecutions that any corrupt or illegal practices have prevailed in reference to any election, it shall be his duty, subject to the regulations under the Prosecution of Offences Act, 1879, to make such inquiries and institute such prosecutions as the circumstances of the case appear to him to require.

Removal of incapacity on proof that it was procured by perjury.

46. Where a person has, either before or after the commencement of this Act, become subject to any incapacity under the Corrupt Practices Prevention Acts or this Act by reason of a conviction or of a report of any election court or election commissioners, and any witness who gave evidence against such incapacitated person upon the proceeding for such conviction or report is convicted of perjury in respect of that evidence, the incapacitated person may apply to the High Court, and the Court, if satisfied that the conviction or report so far as respects such person was based upon perjury, may order that such incapacity shall thenceforth cease, and the same shall cease accordingly.

Amendment of law as to polling districts and polling places.

47. (1.) Every county shall be divided into polling districts, and a polling place shall be assigned to each district in such manner that, so far as is reasonably practicable, every elector resident in the county shall have his polling place within a distance not exceeding three miles from his residence, so nevertheless that a polling district

need not in any case be constituted containing less than one hundred electors.

(2.) In every county the local authority who have power to divide that county into polling districts shall from time to time divide the county into polling districts, and assign polling places to those districts, and alter those districts and polling places in such manner as may be necessary for the purpose of carrying into effect this section.

(3.) The power of dividing a borough into polling districts vested in a local authority by the Representation of the People Act, 1867, and the enactments amending the same, may be exercised by such local authority from time to time, and as often as the authority think fit, and the said power shall be deemed to include the power of altering any polling district, and the said local authority shall from time to time, where necessary for the purpose of carrying this section into effect, divide the borough into polling districts in such manner that—

(*a.*) Every elector resident in the borough, if other than one herein-after mentioned, shall be enabled to poll within a distance not exceeding one mile from his residence, so nevertheless that a polling district need not be constituted containing less than three hundred electors; and

(*b.*) Every elector resident in the boroughs of East Retford, Shoreham, Cricklade, Much Wenlock, and Aylesbury, shall be enabled to poll within a distance not exceeding three miles from his residence, so nevertheless that a polling district need not be constituted containing less than one hundred electors.

(4.) So much of section five of the Ballot Act, 1872, and the enactments amending the same as in force and is not repealed by this Act, shall apply as if the same were incorporated in this section.

(5.) The expenses incurred by the local authority of a county or borough under this or any other Act in dividing their county or borough into polling districts, and, in the case of a county, assigning polling places to such districts, and in altering any such districts or polling places, shall be defrayed in like manner as if they were expenses incurred by the registration officer in the execution of the enactments respecting the registration of electors in such county or borough, and those enactments, so far as is consistent with the tenor thereof, shall apply accordingly.

Conveyance of voters by sea in certain cases.

48. Where the nature of a county is such that any electors residing therein are unable at an election for such county to reach their polling place without crossing the sea or a branch or arm thereof, this Act shall not prevent the provision of means for conveying such electors by sea to their polling place, and the amount of payment for such means of conveyance may be in addition to the maximum amount of expenses allowed by this Act.

Election commissioners not to inquire into elections before the passing of this Act.

49. Notwithstanding the provisions of the Act 15 and 16 Vict. cap. 57, or any amendment thereof, in any case where, after the passing of this Act, any commissioners have been appointed, on a joint address of both Houses of Parliament, for the purpose of making inquiry into the existence of corrupt practices in any election, the said commissioners shall not make inquiries concerning any election

that shall have taken place prior to the passing of this Act, and no witness called before such commissioners, or at any election petition after the passing of this Act, shall be liable to be asked or bound to answer any question for the purpose of proving the commission of any corrupt practice at or in relation to any election prior to the passing of this Act: Provided that nothing herein contained shall affect any proceedings that shall be pending at the time of such passing.

Legal Proceedings.

Trial in Central Criminal Court of indictment for corrupt practice at instance of Attorney-General.

50. Where an indictment as defined by this Act for any offence under the Corrupt Practices Prevention Acts or this Act is instituted in the High Court or is removed into the High Court by a writ of certiorari issued at the instance of the Attorney-General, and the Attorney-General suggests on the part of the Crown that it is expedient for the purposes of justice that the indictment should be tried in the Central Criminal Court, or if a special jury is ordered, that it should be tried before a judge and jury at the Royal Courts of Justice, the High Court may, if it think fit, order that such indictment shall be so tried upon such terms as the Court may think just, and the High Court may make such orders as appear to the Court necessary or proper for carrying into effect the order for such trial.

Limitation of time for prosecution of offence.

51. (1.) A proceeding against a person in respect of the offence of a corrupt or illegal practice or any other offence under the Corrupt Practices Prevention Acts or this Act shall be commenced within one year after the offence was committed, or if it was committed in reference to an election with respect to which an inquiry is held by election commissioners shall be commenced within one year after the offence was committed, or within three months after the report of such commissioners is made, whichever period last expires, so that it be commenced within two years after the offence was committed, and the time so limited by this section shall, in the case of any proceeding under the Summary Jurisdiction Acts for any such offence, whether before an election court or otherwise, be substituted for any limitation of time contained in the last-mentioned Acts.

(2.) For the purposes of this section the issue of a summons, warrant, writ, or other process shall be deemed to be a commencement of a proceeding, where the service or execution of the same on or against the alleged offender is prevented by the absconding or concealment or act of the alleged offender, but save as aforesaid the service or execution of the same on or against the alleged offender, and not the issue thereof, shall be deemed to be the commencement of the proceeding.

Persons charged with corrupt practice may be found guilty of illegal practice.

52. Any person charged with a corrupt practice may, if the circumstances warrant such finding, be found guilty of an illegal practice, (which offence shall for that purpose be an indictable offence,) and any person charged with an illegal practice may be found guilty of that offence, notwithstanding that the act constituting the offence amounted to a corrupt practice, and a person charged with illegal payment, employment, or hiring, may be found guilty of that offence, notwithstanding that the act constituting the offence amounted to a corrupt or illegal practice.

Application of enactments of 17 & 18 Vict. c. 102. and 26 & 27 Vict. c. 29. relating to prosecutions for bribery.

53. (1.) Sections ten, twelve, and thirteen of the Corrupt Practices Prevention Act, 1854, and section six of the Corrupt Practices Prevention Act, 1863 (which relate to prosecutions for bribery and other offences under those Acts), shall extend to any prosecution on indictment for the offence of any corrupt practice within the meaning of this Act, and to any action for any pecuniary forfeiture for an offence under this Act, in like manner as if such offence were bribery within the meaning of those Acts, and such indictment or action were the indictment or action in those sections mentioned, and an order under the said section ten may be made on the defendant; but the Director of public prosecutions or any person instituting any prosecution in his behalf or by direction of an election court shall not be deemed to be a private prosecutor, nor required under the said sections to give any security.

17 & 18 Vict. c. 102.

26 & 27 Vict. c. 29.

(2.) On any prosecution under this Act, whether on indictment or summarily, and whether before an election court or otherwise, and in any action for a pecuniary forfeiture under this Act, the person prosecuted or sued, and the husband or wife of such person, may, if he or she think fit, be examined as an ordinary witness in the case.

(3.) On any such prosecution or action as aforesaid it shall be sufficient to allege that the person charged was guilty of an illegal practice, payment, employment, or hiring within the meaning of this Act, as the case may be, and the certificate of the returning officer at an election that the election mentioned in the certificate was duly held, and that the person named in the certificate was a candidate at such election, shall be sufficient evidence of the facts therein stated.

Prosecution on summary conviction, and appeal to quarter sessions.

54. (1.) All offences under this Act punishable on summary conviction may be prosecuted in manner provided by the Summary Jurisdiction Acts.

(2.) A person aggrieved by a conviction by a court of summary jurisdiction for an offence under this Act may appeal to general or quarter sessions against such conviction.

Application of Summary Jurisdiction and Indictable Offences Acts to proceedings before election courts.

55. (1.) Except that nothing in this Act shall authorise any appeal against a summary conviction by an election court, the Summary Jurisdiction Acts shall, so far as is consistent with the tenor thereof, apply to the prosecution of an offence summarily before an election court, in like manner as if it were an offence punishable only on summary conviction, and accordingly the attendance of any person may be enforced, the case heard and determined and any summary conviction by such court be carried into effect and enforced, and the costs thereof paid, and the record thereof dealt with under those Acts in like manner as if the court were a petty sessional court for the county or place in which such conviction took place.

(2.) The enactments relating to charges before justices against persons for indictable offences shall, so far as is consistent with the tenor thereof, apply to every case where an election court orders a person to be prosecuted on indictment in like manner as if the court were a justice of the peace.

Exercise of jurisdiction of High Court, and making of rules of court.

56. (1.) Subject to any rules of court, any jurisdiction vested by this Act in the High Court may, so far as it relates to indictments or other criminal proceedings, be exercised by any judge of the

Queen's Bench Division, and in other respects may either be exercised by one of the judges for the time being on the rota for the trial of election petitions, sitting either in court or at chambers, or may be exercised by a master of the Supreme Court of Judicature in manner directed by and subject to an appeal to the said judges:

Provided that a master shall not exercise jurisdiction in the case either of an order declaring any act or omission to be an exception from the provisions of this Act with respect to illegal practices, payments, employments, or hirings, or of an order allowing an excuse in relation to a return or declaration respecting election expenses.

(2.) Rules of court may from time to time be made, revoked, and altered for the purposes of this Act, and of the Parliamentary Elections Act, 1868, and the Acts amending the same, by the same authority by whom rules of court for procedure and practice in the Supreme Court of Judicature can for the time being be made.

Director of public prosecutions, and expenses of prosecutions. 42 & 43 Vict. c. 22.

57. (1.) The Director of public prosecutions in performing any duty under this Act shall act in accordance with the regulations under the Prosecution of Offences Act, 1879, and subject thereto in accordance with the directions (if any) given to him by the Attorney General; and any assistant or representative of the Director of public prosecutions in performing any duty under this Act shall act in accordance with the said regulations and directions, if any, and with the directions given to him by the Director of public prosecutions.

(2.) Subject to the provisions of this Act, the costs of any prosecution on indictment for an offence punishable under this Act, whether by the Director of public prosecutions or his representative or by any other person, shall, so far as they are not paid by the defendant, be paid in like manner as costs in the case of a prosecution for felony are paid.

Recovery of costs payable by county or borough or by person.

58. (1.) Where any costs or other sums (not being costs of a prosecution on indictment) are, under an order of an election court, or otherwise under this Act, to be paid by a county or borough, the Commissioners of Her Majesty's Treasury shall pay those costs or sums, and obtain repayment of the amount so paid, in like manner as if such costs and sums were expenses of election commissioners paid by them, and the Election Commissioners Expenses Acts, 1869 and 1871, shall apply accordingly as if they were herein re-enacted and in terms made applicable to the above-mentioned costs and sums.

32 & 33 Vict. c. 21. 34 & 35 Vict. c. 61.

(2.) Where any costs or other sums are, under the order of an election court or otherwise under this Act, to be paid by any person, those costs shall be a simple contract debt due from such person to the person or persons to whom they are to be paid, and if payable to the Commissioners of Her Majesty's Treasury shall be a debt to Her Majesty, and in either case may be recovered accordingly.

Supplemental Provisions, Definitions, Savings, and Repeal.

Obligation of witness to answer, and certificate of indemnity.

59. (1.) A person who is called as a witness respecting an election before any election court shall not be excused from answering any question relating to any offence at or connected with such election,

on the ground that the answer thereto may criminate or tend to criminate himself or on the ground of privilege;

Provided that—

(*a.*) a witness who answers truly all questions which he is required by the election court to answer shall be entitled to receive a certificate of indemnity under the hand of a member of the court stating that such witness has so answered: and

(*b.*) an answer by a person to a question put by or before any election court shall not, except in the case of any criminal proceeding for perjury in respect of such evidence, be in any proceeding, civil or criminal, admissible in evidence against him:

(2.) Where a person has received such a certificate of indemnity in relation to an election, and any legal proceeding is at any time instituted against him for any offence under the Corrupt Practices Prevention Acts or this Act committed by him previously to the date of the certificate at or in relation to the said election, the court having cognisance of the case shall on proof of the certificate stay the proceeding, and may in their discretion award to the said person such costs as he may have been put to in the proceeding.

(3.) Nothing in this section shall be taken to relieve a person receiving a certificate of indemnity from any incapacity under this Act or from any proceeding to enforce such incapacity (other than a criminal prosecution).

(4.) This section shall apply in the case of a witness before any election commissioners, in like manner as if the expression "election court" in this section included election commissioners.

(5.) Where a solicitor or person lawfully acting as agent for any party to an election petition respecting any election for a county or borough has not taken any part or been concerned in such election, the election commissioners inquiring into such election shall not be entitled to examine such solicitor or agent respecting matters which came to his knowledge by reason only of his being concerned as solicitor or agent for a party to such petition.

Submission of report of election court or commissioners to Attorney-General.

60. An election court or election commissioners, when reporting that certain persons have been guilty of any corrupt or illegal practice, shall report whether those persons have or not been furnished with certificates of indemnity; and such report shall be laid before the Attorney-General (accompanied in the case of the commissioners with the evidence on which such report was based) with a view to his instituting or directing a prosecution against such persons as have not received certificates of indemnity, if the evidence should, in his opinion, be sufficient to support a prosecution.

Breach of duty by officer. 35 & 36 Vict. c. 33.

61. (1.) Section eleven of the Ballot Act, 1872, shall apply to a returning officer or presiding officer or clerk who is guilty of any wilful misfeasance or wilful act or omission in contravention of this Act in like manner as if the same were in contravention of the Ballot Act, 1872.

6 Vict. c. 18.

(2.) Section ninety-seven of the Parliamentary Registration Act, 1843, shall apply to every registration officer who is guilty of any wilful misfeasance or wilful act of commission or omission contrary to this Act in like manner as if the same were contrary to the Parliamentary Registration Act, 1843.

Publication and service of notices. 35 & 36 Vict. c. 33.

62. (1.) Any public notice required to be given by the returning officer under this Act shall be given in the manner in which he is directed by the Ballot Act, 1872, to give a public notice.

(2.) Where any summons, notice, or document is required to be served on any person with reference to any proceeding respecting an election for a county or borough, whether for the purpose of causing him to appear before the High Court or any election court, or election commissioners, or otherwise, or for the purpose of giving him an opportunity of making a statement, or showing cause, or being heard by himself, before any court or commissioners, for any purpose of this Act, such summons, notice, or document may be served either by delivering the same to such person, or by leaving the same at, or sending the same by post by a registered letter to, his last known place of abode in the said county or borough, or if the proceeding is before any court or commissioners, in such other manner as the court or commissioners may direct, and in proving such service by post it shall be sufficient to prove that the letter was prepaid, properly addressed, and registered with the post office.

(3.) In the form of notice of a parliamentary election set forth in the Second Schedule to the Ballot Act, 1872, the words "or any illegal practice" shall be inserted after the words "or other corrupt practices," and the words the "Corrupt and Illegal Practices Prevention Act, 1883," shall be inserted after the words "Corrupt Practices Prevention Act, 1854."

Definition of candidate, and saving for persons nominated without consent.

63. (1.) In the Corrupt Practices Prevention Acts, as amended by this Act, the expression "candidate at an election" and the expression "candidate" respectively mean, unless the context otherwise requires, any person elected to serve in Parliament at such election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution or vacancy in consequence of which such writ has been issued;

(2.) Provided that where a person has been nominated as a candidate or declared to be a candidate by others, then—

(*a.*) If he was so nominated or declared without his consent, nothing in this Act shall be construed to impose any liability on such person, unless he has afterwards given his assent to such nomination or declaration or has been elected; and

(*b.*) If he was so nominated or declared, either without his consent or in his absence and he takes no part in the election, he may, if he thinks fit, make the declaration respecting election expenses contained in the second part of the Second Schedule to this Act, and the election agent shall, so far as circumstances admit, comply with the provisions of this Act with respect to expenses incurred on account of or in respect of the conduct or management of the election in like manner as if the candidate had been nominated or declared with his consent.

General interpretation of terms.

64. In this Act, unless the context otherwise requires—

The expression "election" means the election of a member or members to serve in Parliament:

31 & 32 Vict. c. 125.

The expression "election petition" means a petition presented in pursuance of the Parliamentary Elections Act, 1868, as amended by this Act:

The expression "election court" means the judges presiding at the trial of an election petition, or, if the matter comes before the High Court, that court:

The expression "Election Commissioners" means commissioners appointed in pursuance of the Election Commissioners Act, 1852, and the enactments amending the same: 15 & 16 Vict. c. 57.

The expression "High Court" means Her Majesty's High Court of Justice in England:

The expressions "court of summary jurisdiction," "petty sessional court," and "Summary Jurisdiction Acts" have the same meaning as in the Summary Jurisdiction Act, 1879: 42 & 43 Vict. c. 49.

The expression "the Attorney General" includes the Solicitor General in cases where the office of the Attorney General is vacant or the Attorney General is interested or otherwise unable to act:

The expression "registration officer" means the clerk of the peace in a county, and the town clerk in a borough, as respectively defined by the enactments relating to the registration of parliamentary electors:

The expression "elector" means any person whose name is for the time being on the register roll or book containing the names of the persons entitled to vote at the election with reference to which the expression is used:

The expression "register of electors" means the said register roll or book:

The expression "polling agent" means an agent of the candidate appointed to attend at a polling station in pursuance of the Ballot Act, 1872, or of the Acts therein referred to or amending the same: 35 & 36 Vict. c. 33.

The expression "person" includes an association or body of persons, corporate or unincorporate, and where any act is done by any such association or body, the members of such association or body who have taken part in the commission of such act shall be liable to any fine or punishment imposed for the same by this Act:

The expression "committee room" shall not include any house or room occupied by a candidate at an election as a dwelling, by reason only of the candidate there transacting business with his agents in relation to such election; nor shall any room or building be deemed to be a committee room for the purposes of this Act by reason only of the candidate or any agent of the candidate addressing therein electors, committeemen, or others:

The expression "public office" means any office under the Crown or under the charter of a city or municipal borough or under the Acts relating to Municipal Corporations or to the Poor Law, or under the Elementary Education Act, 1870, or under the Public Health Act, 1875, or under any Acts amending the above-mentioned Acts, or under any other Acts for the time being in force (whether passed before or after the commencement of this Act) relating to local government, whether the office is that of mayor, chairman, alderman, councillor, guardian, member of a board, commission, or other local authority in any county, city, borough, union, sanitary district, or other area, or is the office of clerk of 33 & 34 Vict. c. 75. 38 & 39 Vict. c. 55.

the peace, town clerk, clerk or other officer under a council, board, commission, or other authority, or is any other office, to which a person is elected or appointed under any such charter or Act as above-mentioned, and includes any other municipal or parochial office; and the expressions "election," "election petition," "election court," and "register of electors," shall, where expressed to refer to an election for any such public office, be construed accordingly:

The expression "judicial office" includes the office of justice of the peace and revising barrister:

The expression "personal expenses" as used with respect to the expenditure of any candidate in relation to any election includes the reasonable travelling expenses of such candidate, and the reasonable expenses of his living at hotels or elsewhere for the purposes of and in relation to such election:

The expression "indictment" includes information:

The expression "costs" includes costs, charges, and expenses:

The expression "payment" includes any pecuniary or other reward; and the expressions "pecuniary reward" and "money" shall be deemed to include any office, place, or employment, and any valuable security or other equivalent for money, and any valuable consideration, and expressions referring to money shall be construed accordingly:

The expression "Licensing Acts" means the Licensing Acts, 1872 to 1874:

Other expressions have the same meaning as in the Corrupt Practices Prevention Acts.

Short titles.

65. (1.) The enactments described in the Third Schedule to this Act are in this Act referred to as the Corrupt Practices Prevention Acts.

(2.) The Acts mentioned in the Fourth Schedule to this Act are in this Act referred to and may be cited respectively by the short titles in that behalf in that schedule mentioned.

(3.) This Act may be cited as the Corrupt and Illegal Practices Prevention Act, 1883.

(4.) This Act and the Corrupt Practices Prevention Acts may be cited together as the Corrupt Practices Prevention Acts, 1854 to 1883.

Repeal of Acts.

66. The Acts set forth in the Fifth Schedule to this Act are hereby repealed as from the commencement of this Act to the extent in the third column of that schedule mentioned, provided that this repeal or the expiration of any enactment not continued by this Act shall not revive any enactment which at the commencement of this Act is repealed, and shall not affect anything duly done or suffered before the commencement of this Act, or any right acquired or accrued or any incapacity incurred before the commencement of this Act, and any person subject to any incapacity under any enactment hereby repealed or not continued shall continue subject thereto, and this Act shall apply to him as if he had become so subject in pursuance of the provisions of this Act.

Commencement of Act.

67. This Act shall come into operation on the fifteenth day of October one thousand eight hundred and eighty-three, which day is in this Act referred to as the commencement of this Act.

Application of Act to Scotland.

68. This Act shall apply to Scotland, with the following modifications: Application of Act to Scotland.

(1.) The following expressions shall mean as follows:

The expression "misdemeanour" shall mean crime and offence:

The expression "indictment" shall include criminal letters:

The expression "solicitor" shall mean enrolled law agent:

The expression "revising barrister" shall mean sheriff:

The expression "barrister" shall mean advocate:

The expression "petty sessional court" shall mean sheriff court:

The expression "quarter sessions" shall mean the Court of Justiciary:

The expression "registration officer" shall mean an assessor under the enactments relating to the registration of parliamentary voters:

The expression "municipal borough" shall include royal burgh and burgh of regality and burgh of barony:

The expression "Acts relating to municipal corporations" shall include the General Police and Improvement (Scotland) Act, 1862, and any other Act relating to the constitution and government of burghs in Scotland:

The expression "mayor" shall mean provost or chief magistrate:

The expression "alderman" shall mean bailie:

The expression "Summary Jurisdiction Acts" shall mean the Summary Jurisdiction (Scotland) Acts 1864 and 1881 and any Acts amending the same.

(2.) The provisions of this Act with respect to polling districts and the expenses of dividing a county or borough into polling districts shall not apply to Scotland.

(3.) The provisions respecting the attendance at the trial of an election petition of a representative of the Director of public prosecutions shall not apply to Scotland, and in place thereof the following provisions shall have effect:

(*a.*) At the trial of every election petition in Scotland Her Majesty's advocate shall be represented by one of his deputes or by the procurator-fiscal of the sheriff court of the district, who shall attend such trial as part of his official duty, and shall give all necessary assistance to the judge with respect to the citation of witnesses and recovery of documents:

(*b.*) If the judge shall grant a warrant for the apprehension, commitment, or citation of any person suspected of being guilty of a corrupt or illegal practice, the case shall be reported to Her Majesty's advocate in order that such person may be brought to trial before the High Court of Justiciary or the sheriff, according to the nature of the case:

(*c.*) It shall be the duty of the advocate depute or, in his absence, the procurator fiscal, if it appears to him that a corrupt or illegal practice within the meaning of this Act has been committed by any person who has not received a certificate of indemnity, to report the case to Her Majesty's advocate in order to such person being brought to trial before the proper court, although no warrant may have been issued by the judge.

(4.) The jurisdiction of the High Court of Justice under this Act shall, in Scotland, be exercised by one of the Divisions of the Court of Session, or by a judge of the said court to whom the same may be remitted by such division, and subject to an appeal thereto, and the Court of Session shall have power to make Acts of sederunt for the purposes of this Act.

(5.) Court of Oyer and Terminer shall mean a circuit court of Justiciary, and the High Court of Justiciary shall have powers to make acts of adjournal regulating the procedure in appeals to the circuit court under this Act.

(6.) All offences under this Act punishable on summary conviction may be prosecuted in the sheriff court in manner provided by the Summary Jurisdiction Acts, and all necessary jurisdictions are hereby conferred on sheriffs.

(7.) The authority given by this Act to the Director of public prosecutions in England shall in Scotland be exercised by Her Majesty's advocate, and the reference to the Prosecution of Offences Act, 1879, shall not apply.

25 & 26 Vict. c. 35.

39 & 40 Vict. c. 26.

(8.) The expression "Licensing Acts" shall mean "the Public Houses Acts Amendment (Scotland) Act, 1862," and "The Publicans' Certificates (Scotland) Act, 1876," and the Acts thereby amended and therein recited.

(9.) The expression "register of licenses" shall mean the register kept in pursuance of section twelve of the Act of the ninth year of the reign of King George the Fourth, chapter fifty-eight.

(10.) The references to the Public Health Act, 1875, and to the Elementary Education Act, 1870, shall be construed to refer to the Public Health (Scotland) Act, 1867, and to the Elementary Education (Scotland) Act, 1872.

(11.) Any reference to the Parliamentary Elections Returning Officers Act, 1875, shall not apply.

(12.) The provision with respect to the registration officer sending the corrupt and illegal practices list to overseers and the dealing with such list by overseers shall not apply, and in lieu thereof it is hereby enacted that the assessor shall in counties include the names of such persons in the list of persons who have become disqualified, and in boroughs shall omit the names of such persons from the list of persons entitled to vote.

(13.) The power given by this Act to the Lord Chancellor in England shall in Scotland except so far as relates to the justices of the peace be exercised by the Lord Justice General.

(14.) Any reference to the Attorney-General shall refer to the Lord Advocate.

(15.) The provisions with respect to the removal of cases to the Central Criminal Court or to the trial of cases at the Royal Courts of Justice shall not apply.

24 & 25 Vict. c. 83.

(16.) Section thirty-eight of the County Voters Registration (Scotland) Act, 1861, shall be substituted for section ninety-seven of the Parliamentary Registration Act, 1843, where reference is made to that section in this Act.

(17.) The provision of this Act with regard to costs shall not apply to Scotland, and instead thereof the following provision shall have effect:

The costs of petitions and other proceedings under "The Parliamentary Elections Act, 1868," and under this Act, shall, subject to any regulations which the Court of Session may make by act of sederunt, be taxed as nearly as possible according to the same principles as costs between agent and client are taxed in a cause in that court, and the auditor shall not allow any costs, charges, or expenses on a higher scale.

Application of Act to Ireland.

69. This Act shall apply to Ireland, with the following modifications: Application of Act to Ireland.

(1.) No person shall be tried for any offence against this Act under any of the provisions of the Prevention of Crime (Ireland) Act, 1882") 45 & 46 Vict. c. 25.

(2.) The expression "Summary Jurisdiction Acts" means, with reference to the Dublin Metropolitan Police District, the Acts regulating the powers and duties of justices of the peace and of the police in such district; and with reference to other parts of Ireland means the Petty Sessions (Ireland) Act, 1851, and any Acts amending the said Act. 14 & 15 Vict. c. 93.

(3.) Section one hundred and three of the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, shall be substituted for section ninety-seven of the Parliamentary Registration Act, 1843, where reference is made to that section in this Act.

(4.) The provision with respect to the registration officer sending the corrupt and illegal practices list to overseers and the dealing with such list by overseers shall not apply, and in lieu thereof it is hereby enacted that the registration officer shall, after making out such list, himself publish the same in the manner in which he publishes the lists referred to in the twenty-first and the thirty-third sections of the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine; and shall also in the case of every person in the corrupt and illegal practices list enter "objected to" against his name in the register and lists made out by such registration officer in like manner as he is by law required to do in other cases of disqualification.

(5.) The Supreme Court of Judicature in Ireland shall be substituted for the Supreme Court of Judicature.

(6.) The High Court of Justice in Ireland shall be substituted for the High Court of Justice in England.

(7.) The Lord High Chancellor of Ireland shall be substituted for the Lord High Chancellor of Great Britain.

(8.) The Attorney-General for Ireland shall be substituted for the Director of Public Prosecutions, and the reference to the prosecution of the Offences Act, 1879, shall not apply.

(9.) The provisions of this Act relative to polling districts shall not apply to Ireland, but in the county of the town of Galway there shall be a polling station at Barna, and at such other places within the parliamentary borough of Galway as the town commissioners may appoint.

(10.) Any reference to Part IV. of the Municipal Corporations Act, 1882, shall be construed to refer to the Corrupt Practices (Municipal Elections) Act, 1872.

(11.) Any reference to the Licensing Acts shall be construed to refer to the Licensing Acts (Ireland), 1872–1874.

41 & 42 Vict. c. 52.

(12.) The Public Health (Ireland) Act, 1878, shall be substituted for the Public Health Act, 1875.

(13.) The provisions with respect to the removal of cases to the Central Criminal Court, or to the trial of cases at the Royal Courts of Justice, shall not apply to Ireland.

Continuance.

Continuance.

70. This Act shall continue in force until the thirty-first day of December one thousand eight hundred and eighty-four, and no longer, unless continued by Parliament; and such of the Corrupt Practices Prevention Acts as are referred to in Part One of the Third Schedule to this Act shall continue in force until the same day, and no longer, unless continued by Parliament.

SCHEDULES.

FIRST SCHEDULE.

PART I.

PERSONS LEGALLY EMPLOYED FOR PAYMENT.

(1.) One election agent and no more.

(2.) In counties one deputy election agent (in this Act referred to as a sub-agent) to act within each polling district and no more.

(3.) One polling agent in each polling station and no more.

(4.) In a borough one clerk and one messenger, or if the number of electors in the borough exceeds five hundred, a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred.

(5.) In a county for the central committee room one clerk and one messenger, or if the number of electors in the county exceeds five thousand, then a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five thousand electors in the county; and if there is a number of electors over and above any complete five thousand or complete five thousands of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five thousand.

(6.) In a county a number of clerks and messengers not exceeding in number one clerk and one messenger for each polling district in the county, or where the number of electors in a polling district exceeds five hundred one clerk and one messenger for every complete five hundred electors in the polling district, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred: Provided always, that the number of clerks and messengers so allowed in any county may be employed in any polling district where their services may be required.

(7.) Any such paid election agent, sub-agent, polling agent, clerk, and messenger may or may not be an elector but may not vote.

(8.) In the case of the boroughs of East Retford, Shoreham, Cricklade, Much Wenlock, and Aylesbury, the provisions of this part of this schedule shall apply as if such borough were a county.

Part II.

Legal Expenses in Addition to Expenses under Part I.

(1.) Sums paid to the returning officer for his charges not exceeding the amount authorised by the Act 38 & 39 Vict. c. 84.

(2.) The personal expenses of the candidate.

(3.) The expenses of printing, the expenses of advertising, and the expenses of publishing, issuing, and distributing addresses and notices.

(4.) The expenses of stationery, messages, postage, and telegrams.

(5.) The expenses of holding public meetings.

(6.) In a borough the expenses of one committee room and if the number of electors in the borough exceeds five hundred then of a number of committee rooms not exceeding the number of one committee room for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then of one committee room for such number, although not amounting to a complete five hundred.

(7.) In a county the expenses of a central committee room, and in addition of a number of committee rooms not exceeding in number one committee room for each polling district in the county, and where the number of electors in a polling district exceeds five hundred one additional committee room may be hired for every complete five hundred electors in such polling district over and above the first five hundred.

Part III.

Maximum for Miscellaneous Matters.

Expenses in respect of miscellaneous matters other than those mentioned in Part I. and Part II. of this schedule not exceeding in the whole the maximum amount of two hundred pounds, so nevertheless that such expenses are not incurred in respect of any matter or in any manner constituting an offence under this or any other Act, or in respect of any matter or thing, payment for which is expressly prohibited by this or any other Act.

Part IV.

Maximum Scale.

(1.) In a borough the expenses mentioned above in Parts I., II., and III. of this schedule, other than personal expenses and sums paid to the returning officer for his charges, shall not exceed in the whole the maximum amount in the scale following:

If the number of electors on the register—	The maximum amount shall be—
Does not exceed 2,000	350*l.*
Exceeds 2,000	380*l.*, and an additional 30*l.* for every complete 1,000 electors above 2,000.

Provided that in Ireland if the number of electors on the register—

	The maximum amount shall be—
Does not exceed 500	200*l.*
Exceeds 500, but does not exceed 1,000	250*l.*
Exceeds 1,000, but does not exceed 1,500	275*l.*

(2.) In a county the expenses mentioned above in Parts I., II., and III. of this schedule, other than personal expenses and sums paid to the returning officer for his charges, shall not exceed in the whole the maximum amount in the scale following:

If the number of electors on the register—	The maximum amount shall be—
Does not exceed 2,000	650*l.* in England and Scotland, and 500*l.* in Ireland.
Exceeds 2,000	710*l.* in England and Scotland, and 540*l.* in Ireland; and an additional 60*l.* in England and Scotland, and 40*l.* in Ireland, for every complete 1,000 electors above 2,000.

PART V.

General.

(1.) In the case of the boroughs of East Retford, Shoreham, Cricklade, Much Wenlock, and Aylesbury, the provisions of Parts II., III., and IV. of this schedule shall apply as if such borough were a county.

(2.) For the purposes of this schedule the number of electors shall be taken according to the enumeration of the electors in the register of electors.

(3.) Where there are two or more joint candidates at an election the maximum amount of expenses mentioned in Parts III. and IV. of this schedule shall, for each of such joint candidates, be reduced by one-fourth, or if there are more than two joint candidates by one-third.

(4.) Where the same election agent is appointed by or on behalf of two or more candidates at an election, or where two or more candidates, by themselves or any agent or agents, hire or use the same committee rooms for such election, or employ or use the services of the same sub-agents, clerks, messengers, or polling agents at such election, or publish a joint address or joint circular or notice at such election, those candidates shall be deemed for the purposes of this enactment to be joint candidates at such election.

Provided that—

(*a.*) The employment and use of the same committee room, sub-agent, clerk, messenger, or polling agent, if accidental or casual, or of a trivial and unimportant character, shall not be deemed of itself to constitute persons joint candidates.

(*b.*) Nothing in this enactment shall prevent candidates from ceasing to be joint candidates.

(*c.*) Where any excess of expenses above the maximum allowed for one of two or more joint candidates has arisen owing to his having ceased to be a joint candidate, or to his having become a joint candidate after having begun to conduct his election as a separate candidate, and such ceasing or beginning was in good faith, and such excess is not more than under the circumstances is reasonable, and the total expenses of such candidate do not exceed the maximum amount allowed for a separate candidate, such excess shall be deemed to have arisen from a reasonable cause within the meaning of the enactments respecting the allowance by the High Court or election court of an exception from the provisions of this Act which would otherwise make an act an illegal practice, and the candidate and his election agent may be relieved accordingly from the consequences of having incurred such excess of expenses.

SECOND SCHEDULE.

PART I.

FORM OF DECLARATIONS AS TO EXPENSES.

Form for Candidate.

I , having been a candidate at the election for the county [*or* borough] of on the day of , do hereby solemnly and sincerely declare that I have examined the return of election expenses [about to be] transmitted by my election agent [*or if the candidate is his own election agent*, "by me"] to the returning officer at the said election, a copy of which is now shown to me and marked , and to the best of my knowledge and belief that return is correct;

And I further solemnly and sincerely declare that, except as appears from that return, I have not, and to the best of my knowledge and belief no person, nor any club, society, or association, has, on my behalf, made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly and sincerely declare that I have paid to my election agent [*if the candidate is also his own election agent, leave out* "to my election agent"] the sum of pounds and no more for the purpose of the said election, and that, except as specified in the said return, no money, security, or equivalent for money has to my know-

ledge or belief been paid, advanced, given, or deposited by anyone to or in the hands of my election agent [*or if the candidate is his own election agent*, "myself"] or any other person for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election;

And I further solemnly and sincerely declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the making or giving of, any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent for money for the purpose of defraying any such expenses.

Signature of declarant *C.D.*

Signed and declared by the above-named declarant on the day of , before me. (Signed) *E.F.*
Justice of the Peace for

Form for Election Agent.

I, , being election agent to , candidate at the election for the county [*or* borough] of , on the day of , do hereby solemnly and sincerely declare that I have examined the return of election expenses about to be transmitted by me to the returning officer at the said election, and now shown to me and marked , and to the best of my knowledge and belief that return is correct;

And I hereby further solemnly and sincerely declare that, except as appears from that return, I have not and to the best of my knowledge and belief no other person, nor any club, society, or association has on behalf of the said candidate made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly and sincerely declare that I have received from the said candidate pounds and no more [*or* nothing] for the purpose of the said election, and that, except as specified in the said return sent by me, no money, security, or equivalent for money has been paid, advanced, given, or deposited by any one to me or in my hands, or, to the best of my knowledge and belief, to or in the hands of any other person for the purpose of defraying any expenses incurred on behalf of the said candidate on account of, or in respect of the conduct or management of the said election.

Signature of declarant *A.B.*

Signed and declared by the above-named declarant on the day of before me. (Signed) *E.F.*
Justice of the Peace for

Form of Return of Election Expenses.

I, *A.B.*, being election agent to *C.D.*, candidate at the election for the county [*or* borough] of on the day of , make the following return respecting election expenses of the said candidate at the said election [*or where the candidate has named himself as election agent*, "I, *C.D.*, candidate at the election for "the county [*or* borough] of on the day of , acting "as my own election agent, make the following return respecting my election expenses "at the said election"].

Receipts.

Received of [*the above-named candidate*], [*or where the candidate is his own election agent*, "Paid by me"] - - - - -	£
Received of *J.K.* - - - - - - - -	£

[*Here set out the name and description of every person, club, society, or association, whether the candidate or not, from whom any money, securities, or equivalent of money was received in respect of expenses incurred on account of or in connexion with or incidental to the above election, and the amount received from each person, club, society, or association separately.*]

Expenditure.

Paid to *E.F.*, the returning officer for the said county [*or* borough] for his charges at the said election - - - - - £

Personal expenses of the said *C.D.*, paid by himself [*or if the candidate is his own election agent*, "Paid by me as candidate"] - - £

Do. do. paid by me [*or if the candidate is his own election agent, add* "acting as election agent"] - - £

Received by me for my services as election agent at the said election [*or if the candidate is his own election agent, leave out this item*] - £

Paid to *G.H.* as sub-agent of the polling district of - - - £

[*The name and description of each sub-agent and the sum paid to him must be set out separately.*]

Paid to as polling agent - - - - - £

Paid to as clerk for days services - - - £

Paid to as messenger for days services - - £

[*The names and descriptions of every polling agent, clerk, and messenger, and the sum paid to each, must be set out separately either in the account or in a separate list annexed to and referred to in the account, thus*, "Paid to polling agent (*or as the case may be*) as per annexed list £ ."]

Paid to the following persons in respect of goods supplied or work and labour done:

To *P.Q.* (printing) - - - - - - £

To *M.N.* (advertising) - - - - - - £

To *R.S.* (stationery) - - - - - - £

The name and description of each person, and the nature of the goods supplied, or the work and labour done by each, must be set out separately either in the account or in a separate list annexed to and referred to in the account.]

Paid for postage - - - - - - - £

Paid for telegrams - - - - - - - £

Paid for the hire of rooms as follows:—

For holding public meetings - - - - - £

For committee rooms - - - - - - £

[*A room hired for a public meeting or for a committee room must be named or described so as to identify it; and the name and description of every person to whom any payment was made for each such room, together with the amount paid, must be set out separately either in the account or in a separate list annexed to and referred to in the account.*]

Paid for miscellaneous matters, namely— - - - - £

[*The name and description of each person to whom any sum is paid, and the reason for which it was paid to him, must be set out separately either in the account or in a separate list annexed to and referred to in the account.*]

In addition to the above, I am aware, as election agent for *C.D.*, [*or if the candidate is his own election agent, leave out* "as election agent for *C.D.*"] of the following disputed and unpaid claims; namely,—

Disputed claims.

By *T.U.* for - - - - - - - £

[*Here set out the name and description of each person whose claim is disputed, the amount of the claim, and the goods, work, or other matter on the ground of which the claim is based.*]

Unpaid claims allowed by the High Court to be paid after the proper time or in respect of which application has been or is about to be made to the High Court.

By *M.O.* for - - - - - - - - £

[*Here state the name and description of each person to whom any such claim is due, and the amount of the claim, and the goods, work, and labour or other matter on account of which the claim is due.*]

(Signed) *A.B.*

PART II.

FORM OF DECLARATION AS TO EXPENSES.

Form for candidate where declared a candidate or nominated in his absence and taking no part in the election.

I, , having been nominated [*or* having been declared by others] in my absence [to be] a candidate at the election for the county or borough of held on the day of , do hereby solemnly and sincerely declare that I have taken no part whatever in the said election.

And I further solemnly and sincerely declare that [*or* with the exception of] I have not, and no person, club, society, or association at my expense has, made any payment or given, promised, or offered, any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election.

And I further solemnly and sincerely declare that [*or* with the exception of] I have not paid any money or given any security or equivalent for money to the person acting as my election agent at the said election, or to any other person, club, society, or association on account of or in respect of the conduct or management of the said election, and that [*or* with the exception of] I am entirely ignorant of any money security or equivalent for money having been paid, advanced, given, or deposited by any one for the purpose of defraying any expenses incurred on account of or in respect of the conduct or management of the said election.

And I further solemnly and sincerely declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent of money for the purpose of defraying any such expenses.

Signature of declarant *C.D.*

Signed and declared by the above-named declarant on the day of , before me, (Signed) *E.F.*

Justice of the Peace for

THIRD SCHEDULE.

CORRUPT PRACTICES PREVENTION ACTS.

Session and Chapter.	Title of Act.	Enactments referred to as being the Corrupt Practices Prevention Acts.
PART ONE.		
Temporary.		
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	The whole Act so far as unrepealed.
26 & 27 Vict. c. 29. -	An Act to amend and continue the law relating to corrupt practices at elections of members of Parliament.	The whole Act so far as unrepealed.
31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868	The whole Act so far as unrepealed.
35 & 36 Vict. c. 33. -	The Ballot Act, 1872 - - -	Part III. so far as unrepealed.
42 & 43 Vict. c. 75. -	The Parliamentary Elections and Corrupt Practices Act, 1879.	The whole Act so far as unrepealed.

Session and Chapter.	Title of Act.	Enactments referred to as being the Corrupt Practices Prevention Acts.
	PART TWO.	
	Permanent.	
30 & 31 Vict. c. 102.	The Representation of the People Act, 1867.	Sections eleven, forty-nine, and fifty.
31 & 32 Vict. c. 48. -	The Representation of the People (Scotland) Act, 1868.	Sections eight and forty-nine.
31 & 32 Vict. c. 49. -	The Representation of the People (Ireland) Act, 1868.	Sections eight and thirteen.
44 & 45 Vict. c. 40. -	The Universities Elections Amendment (Scotland) Act, 1881.	Sub-section seventeen of section two.

PART THREE.

ENACTMENTS DEFINING THE OFFENCES OF BRIBERY AND PERSONATION.

The Corrupt Practices Prevention Act, 1854, 17 & 18 Vict. c. 102. ss. 2, 3.

Bribery defined.

s. 2. The following persons shall be deemed guilty of bribery, and shall be punishable accordingly:—

(1.) Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid on account of such voter having voted or refrained from voting at any election:

(2.) Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, give or procure, or agree to give or procure, or offer, promise, or promise to procure or to endeavour to procure, any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid on account of any voter having voted or refrained from voting at any election:

(3.) Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election:

(4.) Every person who shall, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procure or engage, promise, or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election:

(5.) Every person who shall advance or pay, or cause to be paid, any money to or to the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election. Provided always, that the aforesaid enactment shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses bonâ fide incurred at or concerning any election.

Bribery further defined.

s. 3. The following persons shall also be deemed guilty of bribery, and shall be punishable accordingly:—

(1.) Every voter who shall, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receive, agree, or contract for any money, gift, loan, or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election:

(2.) Every person who shall, after any election, directly or indirectly, by himself or by any other person on his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any election.

The Representation of the People Act, 1867, 30 & 31 Vict. c. 102. s. 49.

Corrupt payment of rates to be punishable as bribery.

Any person, either directly or indirectly, corruptly paying any rate on behalf of any ratepayer for the purpose of enabling him to be registered as a voter, thereby to influence his vote at any future election, and any candidate or other person, either directly or indirectly, paying any rate on behalf of any voter for the purpose of inducing him to vote or refrain from voting, shall be guilty of bribery, and be punishable accordingly; and any person on whose behalf and with whose privity any such payment as in this section is mentioned is made, shall also be guilty of bribery, and punishable accordingly.

The Representation of the People (Scotland) Act, 1868, 31 & 32 Vict. c. 48. s. 49.

Corrupt payment of rates to be punishable as bribery.

Any person, either directly or indirectly, corruptly paying any rate on behalf of any ratepayer for the purpose of enabling him to be registered as a voter, thereby to influence his vote at any future election, and any candidate or other person, either directly or indirectly, paying any rate on behalf of any voter for the purpose of inducing him to vote or refrain from voting, shall be guilty of bribery, and be punishable accordingly; and any person on whose behalf and with whose privity any such payment as in this section mentioned is made shall also be guilty of bribery, and punishable accordingly.

The Universities Elections Amendment (Scotland) Act, 1881, 44 & 45 Vict. c. 40. s. 2.

Corrupt payment of registration fee to be punishable as bribery.

17. Any person, either directly or indirectly, corruptly paying any fee for the purpose of enabling any person to be registered as a member of the general council, and thereby to influence his vote at any future election, and any candidate or other person, either directly or indirectly, paying such fee on behalf of any person for the purpose of inducing him to vote or to refrain from voting, shall be guilty of bribery, and shall be punishable accordingly; and any person on whose behalf and with whose privity any such payment as in this section mentioned is made, shall also be guilty of bribery, and punishable accordingly.

The Ballot Act, 1872, 35 & 36 Vict. c. 33. s. 24.

Personation defined.

A person shall for all purposes of the laws relating to parliamentary and municipal elections be deemed to be guilty of the offence of personation who, at an election for a county or borough, or at a municipal election, applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead, or of a fictitious person, or who, having voted once at any such election, applies at the same election for a ballot paper in his own name.

FOURTH SCHEDULE.

SHORT TITLES.

Session and Chapter.	Long Title.	Short Title.
15 & 16 Vict. c. 57.	An Act to provide for more effectual inquiry into the existence of corrupt practices at the election of members to serve in Parliament.	Election Commissioners Act, 1852.
26 & 27 Vict. c. 29.	An Act to amend and continue the law relating to corrupt practices at elections of members of Parliament.	The Corrupt Practices Prevention Act, 1863.

FIFTH SCHEDULE.

ENACTMENTS REPEALED.

NOTE.—Portions of Acts which have already been specifically repealed are in some instances included in the repeal in this Schedule in order to preclude henceforth the necessity of looking back to previous Acts.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
60 Geo. 3. & 1 Geo. 4. c. 11.	An Act for the better regulation of polls, and for making further provision touching the election of members to serve in Parliament for Ireland.	Section thirty-six.
1 & 2 Geo. 4. c. 58. -	An Act to regulate the expenses of election of Members to serve in Parliament for Ireland.	The whole Act except section three.
4 Geo. 4. c. 55. - -	An Act to consolidate and amend the several Acts now in force so far as the same relate to the election and return of members to serve in Parliament for the counties of cities and counties of towns in Ireland.	Section eighty-two.
17 & 18 Vict. c. 102. -	The Corrupt Practices Prevention Act, 1854.	Section one. Section two, from "and any person so offending" to "with full costs of suit." Section three, from "and any person so offending" to the end of the section. Section four. Section five. Section six. Section seven, from "and all payments" to the end of the section. Section nine, section fourteen, section twenty-three, section thirty-six, section thirty-eight, from "and the words personal expenses" to the end of the section, and section thirty-nine and Schedule A.
21 & 22 Vict. c. 87. -	An Act to continue and amend the Corrupt Practices Prevention Act, 1854.	The whole Act.
26 & 27 Vict. c. 29. -	An Act to amend and continue the law relating to corrupt practices at elections of Members of Parliament.	The whole Act, except section six.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
30 & 31 Vict. c. 102. -	The Representation of the People Act, 1867.	Section thirty-four, from "and in other boroughs the justices" to "greater part thereof is situate" and section thirty-six.
31 & 32 Vict. c. 48. -	The Representation of the People (Scotland) Act, 1868.	Section twenty-five.
31 & 32 Vict. c. 49. -	The Representation of the People (Ireland) Act, 1868.	Section twelve.
31 & 32 Vict. c. 58. -	The Parliamentary Electors Registration Act, 1868.	Section eighteen, from "the power of dividing their county" to the end of the section.
31 & 32 Vict. c. 125. -	The Parliamentary Elections Act, 1868.	So much of section three as relates to the definitions of "candidate." Section sixteen. Section thirty-three. Section thirty-six. Section forty-one, from "but according to the same principles" to "the High Court of Chancery." Section forty-three. Section forty-five. Section forty-six. Section forty-seven. Section fifty-eight, from "The principles" down to "in the court of session," being sub-section sixteen.
35 & 36 Vict. c. 33. -	The Ballot Act, 1872 -	Section five, from the beginning down to "one hundred registered electors." Section twenty-four, from "The offence of personation, or of aiding," to "hard labour," and from "The offence of personation shall be deemed to be" to the end of the section.
42 & 43 Vict. c. 75. -	The Parliamentary Elections and Corrupt Practices Act, 1879.	Section three and schedule.
43 Vict. c. 18. -	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act, except sections one and three.

CHAPTER 52.

An Act to amend and consolidate the Law of Bankruptcy.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as the Bankruptcy Act, 1883.

Extent of Act.

2. This Act shall not, except so far as is expressly provided, extend to Scotland or Ireland.

Commencement of Act.

3. This Act shall, except as by this Act otherwise provided, commence and come into operation from and immediately after the thirty-first day of December one thousand eight hundred and eighty-three.

PART I.

PROCEEDINGS FROM ACT OF BANKRUPTCY TO DISCHARGE.

Acts of Bankruptcy.

Acts of Bankruptcy.

4. (1.) A debtor commits an act of bankruptcy in each of the following cases:—

(*a.*) If in England or elsewhere he makes a conveyance or assignment of his property to a trustee or trustees for the benefit of his creditors generally:

(*b.*) If in England or elsewhere he makes a fraudulent conveyance, gift, delivery, or transfer of his property, or of any part thereof:

(*c.*) If in England or elsewhere he makes any conveyance or transfer of his property or any part thereof, or creates any charge thereon which would under this or any other Act be void as a fraudulent preference if he were adjudged bankrupt:

(*d.*) If with intent to defeat or delay his creditors he does any of the following things, namely, departs out of England, or being out of England remains out of England, or departs from his dwelling-house, or otherwise absents himself, or begins to keep house:

(*e.*) If execution issued against him has been levied by seizure and sale of his goods under process in an action in any court, or in any civil proceeding in the High Court:

(*f.*) If he files in the Court a declaration of his inability to pay his debts or presents a bankruptcy petition against himself:

(*g.*) If a creditor has obtained a final judgment against him for any amount, and execution thereon not having been stayed, has served on him in England, or, by leave of the Court, elsewhere, a bankruptcy notice under this Act, requiring him to pay the judgment debt in accordance with the terms of the judgment, or to secure or compound for it to the satisfaction of the creditor or the Court, and he does not, within seven days after service of the notice, in case the service is effected in England, and in case the service is effected elsewhere, then within the time limited in that behalf by the order giving leave to effect the service, either comply with the requirements of the notice, or satisfy the Court that he has a counter-claim set off or cross demand which equals or exceeds the amount of the judgment debt, and which he could not set up in the action in which the judgment was obtained:

(*h.*) If the debtor gives notice to any of his creditors that he has suspended, or that he is about to suspend, payment of his debts.

(2.) A bankruptcy notice under this Act shall be in the prescribed form, and shall state the consequences of non-compliance therewith and shall be served in the prescribed manner.

Receiving Order.

Jurisdiction to make receiving order.

5. Subject to the conditions herein-after specified, if a debtor commits an act of bankruptcy the Court may, on a bankruptcy petition being presented either by a creditor or by the debtor, make an order, in this Act called a receiving order, for the protection of the estate.

Conditions on which creditor may petition.

6. (1.) A creditor shall not be entitled to present a bankruptcy petition against a debtor unless—

(*a.*) The debt owing by the debtor to the petitioning creditor, or, if two or more creditors join in the petition, the aggregate amount of debts owing to the several petitioning creditors, amounts to fifty pounds, and

(*b.*) The debt is a liquidated sum, payable either immediately or at some certain future time, and

(*c.*) The act of bankruptcy on which the petition is grounded has occurred within three months before the presentation of the petition, and

(*d.*) The debtor is domiciled in England, or, within a year before the date of the presentation of the petition, has ordinarily resided or had a dwelling-house or place of business in England.

(2.) If the petitioning creditor is a secured creditor, he must, in his petition, either state that he is willing to give up his security for the benefit of the creditors in the event of the debtor being adjudged bankrupt, or give an estimate of the value of his security. In the latter case, he may be admitted as a petitioning creditor to the extent of the balance of the debt due to him, after deducting the value so estimated in the same manner as if he were an unsecured creditor.

Proceedings and order on creditor's petition.

7. (1.) A creditor's petition shall be verified by affidavit of the creditor, or of some person on his behalf, having knowledge of the facts, and served in the prescribed manner.

(2.) At the hearing the Court shall require proof of the debt of the petitioning creditor of the service of the petition, and of the act of bankruptcy, or, if more than one act of bankruptcy is alleged in the petition, of some one of the alleged acts of bankruptcy, and, if satisfied with the proof, may make a receiving order in pursuance of the petition.

(3.) If the Court is not satisfied with the proof of the petitioning creditor's debt, or of the act of bankruptcy, or of the service of the petition, or is satisfied by the debtor that he is able to pay his debts, or that for other sufficient cause no order ought to be made, the Court may dismiss the petition.

(4.) When the act of bankruptcy relied on is non-compliance with a bankruptcy notice to pay, secure, or compound for a judgment debt, the Court may, if it thinks fit, stay or dismiss the petition on the ground that an appeal is pending from the judgment.

(5.) Where the debtor appears on the petition, and denies that he is indebted to the petitioner, or that he is indebted to such an amount as would justify the petitioner in presenting a petition against him, the Court, on such security (if any) being given as the Court may require for payment to the petitioner of any debt which may be established against him in due course of law, and of the costs of establishing the debt, may instead of dismissing the petition stay

all proceedings on the petition for such time as may be required for trial of the question relating to the debt.

(6.) Where proceedings are stayed, the Court may, if by reason of the delay caused by the stay of proceedings or for any other cause it thinks just, make a receiving order on the petition of some other creditor, and shall thereupon dismiss, on such terms as it thinks just, the petition in which proceedings have been stayed as aforesaid.

(7.) A creditor's petition shall not, after presentment, be withdrawn without the leave of the Court.

Debtor's petition and order thereon.

8. (1.) A debtor's petition shall allege that the debtor is unable to pay his debts, and the presentation thereof shall be deemed an act of bankruptcy without the previous filing by the debtor of any declaration of inability to pay his debts, and the Court shall thereupon make a receiving order.

(2.) A debtor's petition shall not, after presentment, be withdrawn without the leave of the Court.

Effect of receiving order.

9. (1.) On the making of a receiving order an official receiver shall be thereby constituted receiver of the property of the debtor, and thereafter, except as directed by this Act, no creditor to whom the debtor is indebted in respect of any debt provable in bankruptcy shall have any remedy against the property or person of the debtor in respect of the debt, or shall commence any action or other legal proceedings unless with the leave of the Court and on such terms as the Court may impose.

(2.) But this section shall not affect the power of any secured creditor to realize or otherwise deal with his security in the same manner as he would have been entitled to realize or deal with it if this section had not been passed.

Discretionary powers as to appointment of receiver and stay of proceedings.

10. (1.) The Court may, if it is shown to be necessary for the protection of the estate, at any time after the presentation of a bankruptcy petition, and before a receiving order is made, appoint the official receiver to be interim receiver of the property of the debtor, or of any part thereof, and direct him to take immediate possession thereof or of any part thereof.

(2.) The Court may at any time after the presentation of a bankruptcy petition stay any action, execution, or other legal process against the property or person of the debtor, and any Court in which proceedings are pending against a debtor may, on proof that a bankruptcy petition has been presented by or against the debtor, either stay the proceedings or allow them to continue on such terms as it may think just.

Service of order staying proceedings.

11. Where the Court makes an order staying any action or proceeding, or staying proceedings generally, the order may be served by sending a copy thereof, under the seal of the Court, by prepaid post letter to the address for service of the plaintiff or other party prosecuting such proceeding.

Power to appoint special manager.

12. (1.) The official receiver of a debtor's estate may, on the application of any creditor or creditors, and if satisfied that the nature of the debtor's estate or business or the interests of the creditors generally require the appointment of a special manager of the estate or business other than the official receiver, appoint a manager thereof accordingly to act until a trustee is appointed, and with such powers (including any of the powers of a receiver) as may be entrusted to him by the official receiver.

(2.) The special manager shall give security and account in such manner as the Board of Trade may direct.

(3.) The special manager shall receive such remuneration as the creditors may, by resolution at an ordinary meeting, determine, or in default of any such resolution, as may be prescribed.

Advertisement of receiving order.

13. Notice of every receiving order, stating the name, address, and description of the debtor, the date of the order, the Court by which the order is made, and the date of the petition, shall be gazetted and advertised in a local paper in the prescribed manner.

Power to Court to annul receiving order in certain cases.

14. If in any case where a receiving order has been made on a bankruptcy petition it shall appear to the Court by which such order was made, upon an application by the official receiver, or any creditor or other person interested, that a majority of the creditors in number and value are resident in Scotland or in Ireland, and that from the situation of the property of the debtor, or other causes, his estate and effects ought to be distributed among the creditors under the Bankrupt or Insolvent Laws of Scotland or Ireland, the said Court, after such inquiry as to it shall seem fit, may rescind the receiving order and stay all proceedings on, or dismiss the petition upon such terms, if any, as the Court may think fit.

Proceedings consequent on Order.

First and other meetings of creditors.

15. (1.) As soon as may be after the making of a receiving order against a debtor a general meeting of his creditors (in this Act referred to as the first meeting of creditors) shall be held for the purpose of considering whether a proposal for a composition or scheme of arrangement shall be entertained, or whether it is expedient that the debtor shall be adjudged bankrupt, and generally as to the mode of dealing with the debtor's property.

(2.) With respect to the summoning of and proceedings at the first and other meetings of creditors, the rules in the First Schedule shall be observed.

Debtor's statement of affairs.

16. (1.) Where a receiving order is made against a debtor, he shall make out and submit to the official receiver a statement of and in relation to his affairs in the prescribed form, verified by affidavit, and showing the particulars of the debtor's assets, debts, and liabilities, the names, residences, and occupations of his creditors, the securities held by them respectively, the dates when the securities were respectively given, and such further or other information as may be prescribed or as the official receiver may require.

(2.) The statement shall be so submitted within the following times, namely :

(i.) If the order is made on the petition of the debtor, within three days from the date of the order.

(ii.) If the order is made on the petition of a creditor, within seven days from the date of the order.

But the Court may, in either case, for special reasons, extend the time.

(3.) If the debtor fails without reasonable excuse to comply with the requirements of this section, the Court may, on the application of the official receiver, or of any creditor, adjudge him bankrupt.

(4.) Any person stating himself in writing to be a creditor of the bankrupt may, personally or by agent, inspect this statement at all

reasonable times, and take any copy thereof or extract therefrom, but any person untruthfully so stating himself to be a creditor shall be guilty of a contempt of court, and shall be punishable accordingly on the application of the trustee or official receiver.

Public Examination of Debtor.

Public examination of debtor.

17. (1.) Where the Court makes a receiving order it shall hold a public sitting, on a day to be appointed by the Court, for the examination of the debtor, and the debtor shall attend thereat, and shall be examined as to his conduct, dealings, and property.

(2.) The examination shall be held as soon as conveniently may be after the expiration of the time for the submission of the debtor's statement of affairs.

(3.) The Court may adjourn the examination from time to time.

(4.) Any creditor who has tendered a proof, or his representative authorised in writing, may question the debtor concerning his affairs and the causes of his failure.

(5.) The official receiver shall take part in the examination of the debtor; and for the purpose thereof, if specially authorised by the Board of Trade, may employ a solicitor with or without counsel.

(6.) If a trustee is appointed before the conclusion of the examination he may take part therein.

(7.) The Court may put such questions to the debtor as it may think expedient.

(8.) The debtor shall be examined upon oath, and it shall be his duty to answer all such questions as the Court may put or allow to be put to him. Such notes of the examination as the Court thinks proper shall be taken down in writing, and shall be read over to and signed by the debtor, and may thereafter be used in evidence against him; they shall also be open to the inspection of any creditor at all reasonable times.

(9.) When the Court is of opinion that the affairs of the debtor have been sufficiently investigated, it shall, by order, declare that his examination is concluded, but such order shall not be made until after the day appointed for the first meeting of creditors.

Composition or Scheme of Arrangement.

Power for creditors to accept and Court to approve composition or arrangement.

18. (1.) The creditors may at the first meeting or any adjournment thereof, by special resolution, resolve to entertain a proposal for a composition in satisfaction of the debts due to them from the debtor, or a proposal for a scheme of arrangement of the debtor's affairs.

(2.) The composition or scheme shall not be binding on the creditors unless it is confirmed by a resolution passed (by a majority in number representing three fourths in value of all the creditors who have proved) at a subsequent meeting of the creditors, and is approved by the Court.

Any creditor who has proved his debt may assent to or dissent from such composition or scheme by a letter addressed to the official receiver in the prescribed form, and attested by a witness, so as to be received by such official receiver not later than the day preceding such subsequent meeting, and such creditor shall be taken as being present and voting at such meeting.

(3.) The subsequent meeting shall be summoned by the official receiver by not less than seven days notice, and shall not be held until after the public examination of the debtor is concluded. The notice shall state generally the terms of the proposal, and shall be accompanied by a report of the official receiver thereon.

(4.) The debtor or the official receiver may, after the composition or scheme is accepted by the creditors, apply to the Court to approve it, and notice of the time appointed for hearing the application shall be given to each creditor who has proved.

(5.) The Court shall, before approving a composition or scheme, hear a report of the official receiver as to the terms of the composition or scheme and as to the conduct of the debtor, and any objections which may be made by or on behalf of any creditor.

(6.) If the Court is of opinion that the terms of the composition or scheme are not reasonable, or are not calculated to benefit the general body of creditors, or in any case in which the Court is required under this Act where the debtor is adjudged bankrupt to refuse his discharge, the Court shall, or if any such facts are proved as would under this Act justify the Court in refusing, qualifying, or suspending the debtor's discharge, the Court may, in its discretion, refuse to approve the composition or scheme.

(7.) If the Court approves the composition or scheme, the approval may be testified by the seal of the Court being attached to the instrument containing the terms of the composition or scheme, or by the terms being embodied in an order of the Court.

(8.) A composition or scheme accepted and approved in pursuance of this section shall be binding on all the creditors so far as relates to any debts due to them from the debtor and provable in bankruptcy.

(9.) A certificate of the official receiver that a composition or scheme has been duly accepted and approved shall, in the absence of fraud, be conclusive as to its validity.

(10.) The provisions of a composition or scheme under this section may be enforced by the Court on application by any person interested, and any disobedience of an order of the Court made on the application shall be deemed a contempt of Court.

(11.) If default is made in payment of any instalment due in pursuance of the composition or scheme, or if it appears to the Court, on satisfactory evidence, that the composition or scheme cannot in consequence of legal difficulties, or for any sufficient cause, proceed without injustice or undue delay to the creditors or to the debtor, or that the approval of the Court was obtained by fraud, the Court may, if it thinks fit, on application by any creditor, adjudge the debtor bankrupt, and annul the composition or scheme, but without prejudice to the validity of any sale, disposition, or payment duly made, or thing duly done under or in pursuance of the composition or scheme. Where a debtor is adjudged bankrupt under this sub-section any debt provable in other respects, which has been contracted before the date of the adjudication, shall be provable in the bankruptcy.

(12.) If, under or in pursuance of a composition or scheme, a trustee is appointed to administer the debtor's property or manage his business, Part V. of this Act shall apply to the trustee as if he were a trustee in a bankruptcy, and as if the terms "bankruptcy,"

"bankrupt," and "order of adjudication" included respectively a composition or scheme of arrangement, a compounding or arranging debtor, and order approving the composition or scheme.

(13.) Part III. of this Act shall, so far as the nature of the case and the terms of the composition or scheme admit, apply thereto, the same interpretation being given to the words "trustee," "bankruptcy," "bankrupt," and "order of adjudication," as in the last preceding sub-section.

(14.) No composition or scheme shall be approved by the Court which does not provide for the payment in priority to other debts of all debts directed to be so paid in the distribution of the property of a bankrupt.

(15.) The acceptance by a creditor of a composition or scheme shall not release any person who under this Act would not be released by an order of discharge if the debtor had been adjudged bankrupt.

Effect of composition or scheme.

19. Notwithstanding the acceptance and approval of a composition or scheme, such composition or scheme shall not be binding on any creditor so far as regards a debt or liability from which, under the provisions of this Act, the debtor would not be discharged by an order of discharge in bankruptcy, unless the creditor assents to the composition or scheme.

Adjudication of Bankruptcy.

Adjudication of bankruptcy where composition not accepted or approved.

20. (1.) Where a receiving order is made against a debtor, then, if the creditors at the first meeting or any adjournment thereof by ordinary resolution resolve that the debtor be adjudged bankrupt, or pass no resolution, or if the creditors do not meet, or if a composition or scheme is not accepted or approved in pursuance of this Act within fourteen days after the conclusion of the examination of the debtor or such further time as the Court may allow, the Court shall adjudge the debtor bankrupt; and thereupon the property of the bankrupt shall become divisible among his creditors and shall vest in a trustee.

(2.) Notice of every order adjudging a debtor bankrupt, stating the name, address, and description of the bankrupt, the date of the adjudication, and the Court by which the adjudication is made, shall be gazetted and advertised in a local paper in the prescribed manner, and the date of the order shall for the purposes of this Act be the date of the adjudication.

Appointment of trustee.

21. (1.) Where a debtor is adjudged bankrupt, or the creditors have resolved that he be adjudged bankrupt, the creditors may, by ordinary resolution, appoint some fit person, whether a creditor or not, to fill the office of trustee of the property of the bankrupt; or they may resolve to leave his appointment to the committee of inspection herein-after mentioned.

(2.) The person so appointed shall give security in manner prescribed to the satisfaction of the Board of Trade, and the Board, if satisfied with the security, shall certify that his appointment has been duly made, unless they object to the appointment on the ground that it has not been made in good faith by a majority in value of the creditors voting, or that the person appointed is not fit to act as trustee, or that his connexion with or relation to the bankrupt or his estate or any particular creditor makes it difficult for

him to act with impartiality in the interests of the creditors generally.

(3.) Provided that where the Board make any such objection they shall, if so requested by a majority in value of the creditors, notify the objection to the High Court, and thereupon the High Court may decide on its validity.

(4.) The appointment of a trustee shall take effect as from the date of the certificate.

(5.) The official receiver shall not, save as by this Act provided, be the trustee of the bankrupt's property.

(6.) If a trustee is not appointed by the creditors within four weeks from the date of the adjudication, or, in the event of negotiations for a composition or scheme being pending at the expiration of those four weeks, then within seven days from the close of those negotiations by the refusal of the creditors to accept, or of the Court to approve, the composition or scheme, the official receiver shall report the matter to the Board of Trade, and thereupon the Board of Trade shall appoint some fit person to be trustee of the bankrupt's property, and shall certify the appointment.

(7.) Provided that the creditors or the committee of inspection (if so authorised by resolution of the creditors) may, at any subsequent time, if they think fit, appoint a trustee, and on the appointment being made and certified the person appointed shall become trustee in the place of the person appointed by the Board of Trade.

(8.) When a debtor is adjudged bankrupt after the first meeting of creditors has been held, and a trustee has not been appointed prior to the adjudication, the official receiver shall forthwith summon a meeting of creditors for the purpose of appointing a trustee.

Committee of inspection.

22. (1.) The creditors, qualified to vote, may at their first or any subsequent meeting, by resolution, appoint from among the creditors qualified to vote, or the holders of general proxies or general powers of attorney from such creditors, a committee of inspection for the purpose of superintending the administration of the bankrupt's property by the trustee. The committee of inspection shall consist of not more than five nor less than three persons.

(2.) The committee of inspection shall meet at such times as they shall from time to time appoint, and failing such appointment, at least once a month ; and the trustee or any member of the committee may also call a meeting of the committee as and when he thinks necessary.

(3.) The committee may act by a majority of their members present at a meeting, but shall not act unless a majority of the committee are present at the meeting.

(4.) Any member of the committee may resign his office by notice in writing signed by him, and delivered to the trustee.

(5.) If a member of the committee becomes bankrupt, or compounds or arranges with his creditors, or is absent from five consecutive meetings of the committee, his office shall thereupon become vacant.

(6.) Any member of the committee may be removed by an ordinary resolution at any meeting of creditors of which seven days notice has been given, stating the object of the meeting.

(7.) On a vacancy occurring in the office of a member of the committee, the trustee shall forthwith summon a meeting of creditors for

the purpose of filling the vacancy, and the meeting may, by resolution, appoint another creditor or other person eligible as above to fill the vacancy.

(8.) The continuing members of the committee, provided there be not less than two such continuing members, may act notwithstanding any vacancy in their body; and where the number of members of the committee of inspection is for the time being less than five, the creditors may increase that number so that it do not exceed five.

(9.) If there be no committee of inspection, any act or thing or any direction or permission by this Act authorised or required to be done or given by the committee may be done or given by the Board of Trade on the application of the trustee.

Power to accept composition or scheme after bankruptcy adjudication.

23. (1.) Where a debtor is adjudged bankrupt the creditors may, if they think fit, at any time after the adjudication, by special resolution, resolve to entertain a proposal for a composition in satisfaction of the debts due to them under the bankruptcy, or for a scheme of arrangement of the bankrupt's affairs; and thereupon the same proceedings shall be taken and the same consequences shall ensue as in the case of a composition or scheme accepted before adjudication.

(2.) If the Court approves the composition or scheme it may make an order annulling the bankruptcy and vesting the property of the bankrupt in him or in such other person as the Court may appoint, on such terms, and subject to such conditions, if any, as the Court may declare.

(3.) If default is made in payment of any instalment due in pursuance of the composition or scheme, or if it appears to the Court that the composition or scheme cannot proceed without injustice or undue delay, or that the approval of the court was obtained by fraud, the Court may, if it thinks fit, on application by any person interested, adjudge the debtor bankrupt, and annul the composition or scheme, but without prejudice to the validity of any sale, disposition, or payment duly made, or thing duly done, under or in pursuance of the composition or scheme. Where a debtor is adjudged bankrupt under this sub-section, all debts, provable in other respects, which have been contracted before the date of such adjudication shall be provable in the bankruptcy.

Control over Person and Property of Debtor.

Duties of debtor as to discovery and realization of property.

24. (1.) Every debtor against whom a receiving order is made shall, unless prevented by sickness or other sufficient cause, attend the first meeting of his creditors, and shall submit to such examination and give such information as the meeting may require.

(2.) He shall give such inventory of his property, such list of his creditors and debtors, and of the debts due to and from them respectively, submit to such examination in respect of his property or his creditors, attend such other meetings of his creditors, wait at such times on the official receiver, special manager, or trustee, execute such powers of attorney, conveyances, deeds, and instruments, and generally do all such acts and things in relation to his property and the distribution of the proceeds amongst his creditors, as may be reasonably required by the official receiver, special manager, or trustee, or may be prescribed by general rules, or be directed by the

Court by any special order or orders made in reference to any particular case, or made on the occasion of any special application by the official receiver, special manager, trustee, or any creditor or person interested.

(3.) He shall, if adjudged bankrupt, aid, to the utmost of his power, in the realisation of his property and the distribution of the proceeds among his creditors.

(4.) If a debtor wilfully fails to perform the duties imposed on him by this section, or to deliver up possession of any part of his property, which is divisible amongst his creditors under this Act, and which is for the time being in his possession or under his control, to the official receiver or to the trustee, or to any person authorised by the Court to take possession of it, he shall, in addition to any other punishment to which he may be subject, be guilty of a contempt of court, and may be punished accordingly.

Arrest of debtor under certain circumstances.

25. (1.) The Court may, by warrant addressed to any constable or prescribed officer of the Court, cause a debtor to be arrested, and any books, papers, money, and goods in his possession to be seized, and him and them to be safely kept as prescribed until such time as the Court may order under the following circumstances:

(*a.*) If after a bankruptcy notice has been issued under this Act, or after presentation of a bankruptcy petition by or against him, it appears to the Court that there is probable reason for believing that he is about to abscond with a view of avoiding payment of the debt in respect of which the bankruptcy notice was issued, or of avoiding service of a bankruptcy petition, or of avoiding appearance to any such petition, or of avoiding examination in respect of his affairs, or of otherwise avoiding, delaying, or embarrassing proceedings in bankruptcy against him.

(*b.*) If, after presentation of a bankruptcy petition by or against him, it appears to the Court that there is probable cause for believing that he is about to remove his goods with a view of preventing or delaying possession being taken of them by the official receiver or trustee, or that there is probable ground for believing that he has concealed or is about to conceal or destroy any of his goods, or any books, documents, or writings, which might be of use to his creditors in the course of his bankruptcy.

(*c.*) If, after service of a bankruptcy petition on him, or after a receiving order is made against him, he removes any goods in his possession above the value of five pounds, without the leave of the official receiver or trustee.

(*d.*) If, without good cause shown, he fails to attend any examination ordered by the Court.

Provided that no arrest upon a bankruptcy notice shall be valid and protected unless the debtor before or at the time of his arrest shall be served with such bankruptcy notice.

(2.) No payment or composition made or security given after arrest made under this section shall be exempt from the provisions of this Act relating to fraudulent preferences.

Re-direction of debtor's letters.

26. Where a receiving order is made against a debtor, the Court, on the application of the official receiver or trustee, may from time

to time order that for such time, not exceeding three months, as the Court thinks fit, post letters addressed to the debtor at any place, or places, mentioned in the order for re-direction shall be re-directed, sent or delivered by the Postmaster-General, or the officers acting under him, to the official receiver, or the trustee, or otherwise as the Court directs, and the same shall be done accordingly.

Discovery of debtor's property.

27. (1.) The Court may, on the application of the official receiver or trustee, at any time after a receiving order has been made against a debtor, summon before it the debtor or his wife, or any person known or suspected to have in his possession any of the estate or effects belonging to the debtor, or supposed to be indebted to the debtor, or any person whom the Court may deem capable of giving information respecting the debtor, his dealings or property, and the Court may require any such person to produce any documents in his custody or power relating to the debtor, his dealings or property.

(2.) If any person so summoned, after having been tendered a reasonable sum, refuses to come before the Court at the time appointed, or refuses to produce any such document, having no lawful impediment made known to the Court at the time of its sitting and allowed by it, the Court may, by warrant, cause him to be apprehended and brought up for examination.

(3.) The Court may examine on oath, either by word of mouth or by written interrogatories, any person so brought before it concerning the debtor, his dealings or property.

(4.) If any person on examination before the Court admits that he is indebted to the debtor, the Court may, on the application of the official receiver or trustee, order him to pay to the receiver or trustee, at such time and in such manner as to the Court seems expedient, the amount admitted, or any part thereof, either in full discharge of the whole amount in question or not, as the Court thinks fit, with or without costs of the examination.

(5.) If any person on examination before the Court admits that he has in his possession any property belonging to the debtor, the Court may, on the application of the official receiver or trustee, order him to deliver to the official receiver or trustee such property, or any part thereof, at such time, and in such manner, and on such terms as to the Court may seem just.

(6.) The Court may, if it think fit, order that any person who if in England would be liable to be brought before it under this section shall be examined in Scotland or Ireland, or in any other place out of England.

Discharge of Bankrupt.

Discharge of bankrupt.

28. (1.) A bankrupt may, at any time after being adjudged bankrupt, apply to the Court for an order of discharge, and the Court shall appoint a day for hearing the application, but the application shall not be heard until the public examination of the bankrupt is concluded. The application shall be heard in open Court.

(2.) On the hearing of the application the Court shall take into consideration a report of the official receiver as to the bankrupt's

conduct and affairs, and may either grant or refuse an absolute order of discharge, or suspend the operation of the order for a specified time, or grant an order of discharge subject to any conditions with respect to any earnings or income which may afterwards become due to the bankrupt, or with respect to his after-acquired property: Provided that the Court shall refuse the discharge in all cases where the bankrupt has committed any misdemeanor under this Act, or Part II. of the Debtors Act, 1869, or any amendment thereof, and shall, on proof of any of the facts herein-after mentioned, either refuse the order, or suspend the operation of the order for a specified time, or grant an order of discharge, subject to such conditions as aforesaid.

(3.) The facts herein-before referred to are—

(*a.*) That the bankrupt has omitted to keep such books of account as are usual and proper in the business carried on by him and as sufficiently disclose his business transactions and financial position within the three years immediately preceding his bankruptcy:

(*b.*) That the bankrupt has continued to trade after knowing himself to be insolvent:

(*c.*) That the bankrupt has contracted any debt provable in the bankruptcy, without having at the time of contracting it any reasonable or probable ground of expectation (proof whereof shall lie on him) of being able to pay it:

(*d.*) That the bankrupt has brought on his bankruptcy by rash and hazardous speculations or unjustifiable extravagance in living:

(*e.*) That the bankrupt has put any of his creditors to unnecessary expense by a frivolous or vexatious defence to any action properly brought against him:

(*f.*) That the bankrupt has within three months preceding the date of the receiving order, when unable to pay his debts as they become due, given an undue preference to any of his creditors:

(*g.*) That the bankrupt has on any previous occasion been adjudged bankrupt, or made a statutory composition or arrangement with his creditors:

(*h.*) That the bankrupt has been guilty of any fraud or fraudulent breach of trust.

(4.) For the purposes of this section the report of the official receiver shall be primâ facie evidence of the statements therein contained.

(5.) Notice of the appointment by the Court of the day for hearing the application for discharge shall be published in the prescribed manner and sent fourteen days at least before the day so appointed to each creditor who has proved, and the Court may hear the official receiver and the trustee, and may also hear any creditor. At the hearing the Court may put such questions to the debtor and receive such evidence as it may think fit.

(6.) The Court may, as one of the conditions referred to in this section, require the bankrupt to consent to judgment being entered against him by the official receiver or trustee for any balance of the debts provable under the bankruptcy which is not satisfied at the

date of his discharge; but in such case execution shall not be issued on the judgment without leave of the Court, which leave may be given on proof that the bankrupt has since his discharge acquired property or income available for payment of his debts.

(7.) A discharged bankrupt shall, notwithstanding his discharge, give such assistance as the trustee may require in the realization and distribution of such of his property as is vested in the trustee, and if he fails to do so he shall be guilty of a contempt of Court; and the Court may also, if it thinks fit, revoke his discharge, but without prejudice to the validity of any sale, disposition, or payment duly made or thing duly done subsequent to the discharge, but before its revocation.

Fraudulent settlements.

29. In either of the following cases; that is to say,

(1.) In the case of a settlement made before and in consideration of marriage where the settlor is not at the time of making the settlement able to pay all his debts without the aid of the property comprised in the settlement; or

(2.) In the case of any covenant or contract made in consideration of marriage for the future settlement on or for the settlor's wife or children of any money or property wherein he had not at the date of his marriage any estate or interest (not being money or property of or in right of his wife);

If the settlor is adjudged bankrupt or compounds or arranges with his creditors, and it appears to the Court that such settlement, covenant, or contract was made in order to defeat or delay creditors, or was unjustifiable having regard to the state of the settlor's affairs at the time when it was made, the Court may refuse or suspend an order of discharge, or grant an order subject to conditions, or refuse to approve a composition or arrangement, as the case may be, in like manner as in cases where the debtor has been guilty of fraud.

Effect of order of discharge.

30. (1.) An order of discharge shall not release the bankrupt from any debt on a recognizance nor from any debt with which the bankrupt may be chargeable at the suit of the Crown or of any person for any offence against a statute relating to any branch of the public revenue, or at the suit of the sheriff or other public officer on a bail bond entered into for the appearance of any person prosecuted for any such offence: and he shall not be discharged from such excepted debts unless the Treasury certify in writing their consent to his being discharged therefrom. An order of discharge shall not release the bankrupt from any debt or liability incurred by means of any fraud or fraudulent breach of trust to which he was a party, nor from any debt or liability whereof he has obtained forbearance by any fraud to which he was a party.

(2.) An order of discharge shall release the bankrupt from all other debts provable in bankruptcy.

(3.) An order of discharge shall be conclusive evidence of the bankruptcy, and of the validity of the proceedings therein, and in any proceedings that may be instituted against a bankrupt who has obtained an order of discharge in respect of any debt from which he is released by the order, the bankrupt may plead that the cause of action occurred before his discharge, and may give this Act and the special matter in evidence.

(4.) An order of discharge shall not release any person who at the date of the receiving order was a partner or co-trustee with the bankrupt or was jointly bound or had made any joint contract with him, or any person who was surety or in the nature of a surety for him.

Undischarged bankrupt obtaining credit to extent of 20*l.* to be guilty of misdemeanor.

31. Where an undischarged bankrupt who has been adjudged bankrupt under this Act obtains credit to the extent of twenty pounds or upwards from any person without informing such person that he is an undischarged bankrupt, he shall be guilty of a misdemeanor, and may be dealt with and punished as if he had been guilty of a misdemeanor under the Debtors Act, 1869, and the provisions of that Act shall apply to proceedings under this section.

PART II.

Disqualifications of Bankrupt.

Disqualifications of bankrupt.

32. (1.) Where a debtor is adjudged bankrupt he shall, subject to the provisions of this Act, be disqualified for—

(*a.*) Sitting or voting in the House of Lords, or on any committee thereof, or being elected as a peer of Scotland or Ireland to sit and vote in the House of Lords;

(*b.*) Being elected to, or sitting or voting in, the House of Commons, or on any committee thereof;

(*c.*) Being appointed or acting as a justice of the peace;

(*d.*) Being elected to or holding or exercising the office of mayor, alderman, or councillor;

(*e.*) Being elected to or holding or exercising the office of guardian of the poor, overseer of the poor, member of a sanitary authority, or member of a school board, highway board, burial board, or select vestry.

(2.) The disqualifications to which a bankrupt is subject under this section shall be removed and cease if and when,—

(*a.*) the adjudication of bankruptcy against him is annulled; or

(*b.*) he obtains from the Court his discharge with a certificate to the effect that his bankruptcy was caused by misfortune without any misconduct on his part.

The Court may grant or withhold such certificate as it thinks fit, but any refusal of such certificate shall be subject to appeal.

(3.) The disqualifications imposed by this section shall extend to all parts of the United Kingdom.

Vacating of seat in House of Commons.

33. (1.) If a member of the House of Commons is adjudged bankrupt, and the disqualifications arising therefrom under this Act are not removed within six months from the date of the order, the Court shall, immediately after the expiration of that time, certify the same to the Speaker of the House of Commons, and thereupon the seat of the member shall be vacant.

(2.) Where the seat of a member so becomes vacant, the Speaker, during a recess of the House, whether by prorogation or by adjournment, shall forthwith, after receiving the certificate, cause notice thereof to be published in the London Gazette; and after the expiration of six days after the publication shall (unless the House has met before that day, or will meet on the day of the issue), issue his warrant to the clerk of the Crown to make out a new writ for electing another member in the room of the member whose seat has so become vacant.

(3.) The powers of the Act of the twenty-fourth year of the reign of King George the Third, chapter twenty-six, "to repeal so much "of two Acts made in the tenth and fifteenth years of the reign of "His present Majesty as authorises the Speaker of the House of "Commons to issue his warrant to the clerk of the Crown for making "out writs for the election of members to serve in Parliament in "the manner therein mentioned; and for substituting other pro-"visions for the like purposes," so far as those powers enable the Speaker to nominate and appoint other persons, being members of the House of Commons, to issue warrants for the making out of new writs during the vacancy of the office of Speaker or during his absence out of the realm, shall extend to enable him to make the like nomination and appointment for issuing warrants, under the like circumstances and conditions, for the election of a member in the room of any member whose seat becomes vacant under this Act.

Vacating of municipal and other offices.

34. If a person is adjudged bankrupt whilst holding the office of mayor, alderman, councillor, guardian, overseer, or member of a sanitary authority, school board, highway board, burial board, or select vestry, his office shall thereupon become vacant.

Power for court to annul adjudication in certain cases.

35. (1.) Where in the opinion of the Court a debtor ought not to have been adjudged bankrupt, or where it is proved to the satisfaction of the Court that the debts of the bankrupt are paid in full, the Court may, on the application of any person interested, by order, annul the adjudication.

(2.) Where an adjudication is annulled under this section all sales and dispositions of property and payments duly made, and all acts theretofore done, by the official receiver, trustee, or other person acting under their authority, or by the Court, shall be valid, but the property of the debtor who was adjudged bankrupt shall vest in such person as the Court may appoint, or in default of any such appointment revert to the debtor for all his estate or interest therein on such terms and subject to such conditions, if any, as the Court may declare by order.

(3.) Notice of the order annulling an adjudication shall be forthwith gazetted and published in a local paper.

Meaning of payment of debts in full.

36. For the purposes of this Part of this Act, any debt disputed by a debtor shall be considered as paid in full, if the debtor enters into a bond, in such sum and with such sureties as the Court approves, to pay the amount to be recovered in any proceeding for the recovery of or concerning the debt, with costs, and any debt due to a creditor who cannot be found or cannot be identified shall be considered as paid in full if paid into Court.

PART III.

ADMINISTRATION OF PROPERTY.

Proof of Debts.

Description of debts provable in bankruptcy.

37. (1.) Demands in the nature of unliquidated damages arising otherwise than by reason of a contract, promise, or breach of trust, shall not be provable in bankruptcy.

(2.) A person having notice of any act of bankruptcy available against the debtor shall not prove under the order for any debt or

liability contracted by the debtor subsequently to the date of his so having notice.

(3.) Save as aforesaid, all debts and liabilities, present or future, certain or contingent, to which the debtor is subject at the date of the receiving order, or to which he may become subject before his discharge by reason of any obligation incurred before the date of the receiving order, shall be deemed to be debts provable in bankruptcy.

(4.) An estimate shall be made by the trustee of the value of any debt or liability provable as aforesaid, which by reason of its being subject to any contingency or contingencies, or for any other reason, does not bear a certain value.

(5.) Any person aggrieved by any estimate made by the trustee as aforesaid may appeal to the Court.

(6.) If, in the opinion of the Court, the value of the debt or liability is incapable of being fairly estimated, the Court may make an order to that effect, and thereupon the debt or liability shall, for the purposes of this Act, be deemed to be a debt not provable in bankruptcy.

(7.) If, in the opinion of the Court, the value of the debt or liability is capable of being fairly estimated, the Court may direct the value to be assessed, before the Court itself without the intervention of a jury, and may give all necessary directions for this purpose, and the amount of the value when assessed shall be deemed to be a debt provable in bankruptcy.

(8.) "Liability" shall for the purposes of this Act include any compensation for work or labour done, any obligation or possibility of an obligation to pay money or money's worth on the breach of any express or implied covenant, contract, agreement, or undertaking, whether the breach does or does not occur, or is or is not likely to occur or capable of occurring before the discharge of the debtor, and generally it shall include any express or implied engagement, agreement, or undertaking, to pay, or capable of resulting in the payment of money, or money's worth, whether the payment is, as respects amount fixed or unliquidated; as respects time, present or future, certain or dependent on any one contingency or on two or more contingencies; as to mode of valuation capable of being ascertained by fixed rules, or as matter of opinion.

Mutual credit and set-off.

38. Where there have been mutual credits, mutual debts, or other mutual dealings between a debtor against whom a receiving order shall be made under this Act, and any other person proving or claiming to prove a debt under such receiving order, an account shall be taken of what is due from the one party to the other in respect of such mutual dealings, and the sum due from the one party shall be set off against any sum due from the other party, and the balance of the account, and no more, shall be claimed or paid on either side respectively; but a person shall not be entitled under this section to claim the benefit of any set-off against the property of a debtor in any case where he had at the time of giving credit to the debtor, notice of an act of bankruptcy committed by the debtor, and available against him.

Rules as to proof of debts.

39. With respect to the mode of proving debts, the right of proof by secured and other creditors, the admission and rejection of proofs,

and the other matters referred to in the Second Schedule, the rules in that schedule shall be observed.

Priority of debts.

40. (1.) In the distribution of the property of a bankrupt there shall be paid in priority to all other debts,—

(*a.*) All parochial or other local rates due from the bankrupt at the date of the receiving order, and having become due and payable within twelve months next before such time, and all assessed taxes, land tax, property or income tax, assessed on him up to the fifth day of April next before the date of the receiving order, and not exceeding in the whole one year's assessment;

(*b.*) All wages or salary of any clerk or servant in respect of services rendered to the bankrupt during four months before the date of the receiving order, not exceeding fifty pounds; and

(*c.*) All wages of any labourer or workman, not exceeding fifty pounds, whether payable for time or piece-work, in respect of services rendered to the bankrupt during four months before the date of the receiving order.

(2.) The foregoing debts shall rank equally between themselves, and shall be paid in full, unless the property of the bankrupt is insufficient to meet them, in which case they shall abate in equal proportions between themselves.

(3.) In the case of partners the joint estate shall be applicable in the first instance in payment of their joint debts, and the separate estate of each partner shall be applicable in the first instance in payment of his separate debts. If there is a surplus of the separate estates it shall be dealt with as part of the joint estate. If there is a surplus of the joint estate it shall be dealt with as part of the respective separate estates in proportion to the right and interest of each partner in the joint estate.

(4.) Subject to the provisions of this Act all debts proved in the bankruptcy shall be paid pari passu.

(5.) If there is any surplus after payment of the foregoing debts, it shall be applied in payment of interest from the date of the receiving order at the rate of four pounds per centum per annum on all debts proved in the bankruptcy.

(6.) Nothing in this section shall alter the effect of section five of the Act twenty-eight and twenty-nine Victoria, chapter eighty-six, "to amend the Law of Partnership," or shall prejudice the provisions of the Friendly Societies Act, 1875.

38 & 39 Vict. c. 60.

Preferential claim in case of apprenticeship.

41. (1.) Where at the time of the presentation of the bankruptcy petition any person is apprenticed or is an articled clerk to the bankrupt, the adjudication of bankruptcy shall, if either the bankrupt or apprentice or clerk gives notice in writing to the trustee to that effect, be a complete discharge of the indenture of apprenticeship or articles of agreement; and if any money has been paid by or on behalf of the apprentice or clerk to the bankrupt as a fee, the trustee may, on the application of the apprentice or clerk or of some person on his behalf, pay such sum as the trustee, subject to an appeal to the Court, thinks reasonable, out of the bankrupt's property, to or for the use of the apprentice or clerk, regard being had to the amount paid by him or on his behalf, and to the time

during which he served with the bankrupt under the indenture or articles before the commencement of the bankruptcy, and to the other circumstances of the case.

(2.) Where it appears expedient to a trustee, he may, on the application of any apprentice or articled clerk to the bankrupt, or any person acting on behalf of such apprentice or articled clerk, instead of acting under the preceding provisions of this section, transfer the indenture of apprenticeship or articles of agreement to some other person.

Power to landlord to distrain for rent.

42. (1.) The landlord or other person to whom any rent is due from the bankrupt may at any time, either before or after the commencement of the bankruptcy, distrain upon the goods or effects of the bankrupt for the rent due to him from the bankrupt, with this limitation, that if such distress for rent be levied after the commencement of the bankruptcy it shall be available only for one year's rent accrued due prior to the date of the order of adjudication, but the landlord or other person to whom the rent may be due from the bankrupt may prove under the bankruptcy for the surplus due for which the distress may not have been available.

(2.) For the purposes of this section the term "order of adjudication" shall be deemed to include an order for the administration of the estate of a debtor whose debts do not exceed fifty pounds, or of a deceased person who dies insolvent.

Property available for Payment of Debts.

Relation back of trustee's title.

43. The bankruptcy of a debtor, whether the same takes place on the debtor's own petition or upon that of a creditor or creditors, shall be deemed to have relation back to, and to commence at, the time of the act of bankruptcy being committed on which a receiving order is made against him, or, if the bankrupt is proved to have committed more acts of bankruptcy than one, to have relation back to, and to commence at, the time of the first of the acts of bankruptcy proved to have been committed by the bankrupt within three months next preceding the date of the presentation of the bankruptcy petition; but no bankruptcy petition, receiving order, or adjudication shall be rendered invalid by reason of any act of bankruptcy anterior to the debt of the petitioning creditor.

Description of bankrupt's property divisible amongst creditors.

44. The property of the bankrupt divisible amongst his creditors, and in this Act referred to as the property of the bankrupt, shall not comprise the following particulars:

(1.) Property held by the bankrupt on trust for any other person:

(2.) The tools (if any) of his trade and the necessary wearing apparel and bedding of himself, his wife and children, to a value, inclusive of tools and apparel and bedding, not exceeding twenty pounds in the whole:

But it shall comprise the following particulars:

(i.) All such property as may belong to or be vested in the bankrupt at the commencement of the bankruptcy, or may be acquired by or devolve on him before his discharge; and,

(ii.) The capacity to exercise and to take proceedings for exercising all such powers in or over or in respect of property as might have been exercised by the bankrupt for his own benefit at the commencement of his bankruptcy or before his discharge,

except the right of nomination to a vacant ecclesiastical benefice; and,

(iii.) All goods being, at the commencement of the bankruptcy, in the possession, order, or disposition of the bankrupt, in his trade or business, by the consent and permission of the true owner, under such circumstances that he is the reputed owner thereof; provided that things in action other than debts due or growing due to the bankrupt in the course of his trade or business, shall not be deemed goods within the meaning of this section.

Effect of Bankruptcy on antecedent Transactions.

Restriction of rights of creditor under execution or attachment.

45. (1.) Where a creditor has issued execution against the goods or lands of a debtor, or has attached any debt due to him, he shall not be entitled to retain the benefit of the execution or attachment against the trustee in bankruptcy of the debtor, unless he has completed the execution or attachment before the date of the receiving order, and before notice of the presentation of any bankruptcy petition by or against the debtor, or of the commission of any available act of bankruptcy by the debtor.

(2.) For the purposes of this Act, an execution against goods is completed by seizure and sale; an attachment of a debt is completed by receipt of the debt; and an execution against land is completed by seizure, or, in the case of an equitable interest, by the appointment of a receiver.

Duties of sheriff as to goods taken in execution.

46. (1.) Where the goods of a debtor are taken in execution, and before the sale thereof notice is served on the sheriff that a receiving order has been made against the debtor, the sheriff shall, on request, deliver the goods to the official receiver or trustee under the order, but the costs of the execution shall be a charge on the goods so delivered, and the official receiver or trustee may sell the goods or an adequate part thereof for the purpose of satisfying the charge.

(2.) Where the goods of a debtor are sold under an execution in respect of a judgment for a sum exceeding twenty pounds, the sheriff shall deduct the costs of the execution from the proceeds of sale, and retain the balance for fourteen days, and if within that time notice is served on him of a bankruptcy petition having been presented against or by the debtor, and the debtor is adjudged bankrupt thereon or on any other petition of which the sheriff has notice, the sheriff shall pay the balance to the trustee in the bankruptcy, who shall be entitled to retain the same as against the execution creditor, but otherwise he shall deal with it as if no notice of the presentation of a bankruptcy petition had been served on him.

(3.) An execution levied by seizure and sale on the goods of a debtor is not invalid by reason only of its being an act of bankruptcy, and a person who purchases the goods in good faith under a sale by the sheriff shall in all cases acquire a good title to them against the trustee in bankruptcy.

Avoidance of voluntary settlements.

47. (1.) Any settlement of property not being a settlement made before and in consideration of marriage, or made in favour of a purchaser or incumbrancer in good faith and for valuable consideration, or a settlement made on or for the wife or children

of the settlor of property which has accrued to the settlor after marriage in right of his wife, shall, if the settlor becomes bankrupt within two years after the date of the settlement, be void against the trustee in the bankruptcy, and shall, if the settlor becomes bankrupt at any subsequent time within ten years after the date of the settlement, be void against the trustee in the bankruptcy, unless the parties claiming under the settlement can prove that the settlor was at the time of making the settlement able to pay all his debts without the aid of the property comprised in the settlement, and that the interest of the settlor in such property had passed to the trustee of such settlement on the execution thereof.

(2.) Any covenant or contract made in consideration of marriage, for the future settlement on or for the settlor's wife or children of any money or property wherein he had not at the date of his marriage any estate or interest, whether vested or contingent in possession or remainder, and not being money or property of or in right of his wife, shall, on his becoming bankrupt before the property or money has been actually transferred or paid pursuant to the contract or covenant, be void against the trustee in the bankruptcy.

(3.) "Settlement" shall for the purposes of this section include any conveyance or transfer of property.

Avoidance of preferences in certain cases.

48. (1.) Every conveyance or transfer of property, or charge thereon made, every payment made, every obligation incurred, and every judicial proceeding taken or suffered by any person unable to pay his debts as they become due from his own money in favour of any creditor, or any person in trust for any creditor, with a view of giving such creditor a preference over the other creditors shall, if the person making, taking, paying, or suffering the same is adjudged bankrupt on a bankruptcy petition presented within three months after the date of making, taking, paying, or suffering the same, be deemed fraudulent and void as against the trustee in the bankruptcy.

(2.) This section shall not affect the rights of any person making title in good faith and for valuable consideration through or under a creditor of the bankrupt.

Protection of bonâ fide transactions without notice.

49. Subject to the foregoing provisions of this Act with respect to the effect of bankruptcy on an execution or attachment, and with respect to the avoidance of certain settlements and preferences, nothing in this Act shall invalidate, in the case of a bankruptcy—

(*a.*) Any payment by the bankrupt to any of his creditors,

(*b.*) Any payment or delivery to the bankrupt,

(*c.*) Any conveyance or assignment by the bankrupt for valuable consideration,

(*d.*) Any contract, dealing, or transaction by or with the bankrupt for valuable consideration,

Provided that both the following conditions are complied with, namely—

(1.) The payment, delivery, conveyance, assignment, contract, dealing, or transaction, as the case may be, takes place before the date of the receiving order; and

(2.) The person (other than the debtor) to, by, or with whom the payment, delivery, conveyance, assignment, contract, dealing, or transaction was made, executed, or entered into, has not at the

time of the payment, delivery, conveyance, assignment, contract, dealing, or transaction, notice of any available act of bankruptcy committed by the bankrupt before that time.

Realisation of Property.

Possession of property by trustee.

50. (1.) The trustee shall, as soon as may be, take possession of the deeds, books, and documents of the bankrupt, and all other parts of his property capable of manual delivery.

(2.) The trustee shall, in relation to and for the purpose of acquiring or retaining possession of the property of the bankrupt, be in the same position as if he were a receiver of the property appointed by the High Court, and the Court may on his application, enforce such acquisition or retention accordingly.

(3.) Where any part of the property of the bankrupt consists of stock, shares in ships, shares, or any other property transferable in the books of any company, office, or person, the trustee may exercise the right to transfer the property to the same extent as the bankrupt might have exercised it if he had not become bankrupt.

(4.) Where any part of the property of the bankrupt is of copyhold or customary tenure, or is any like property passing by surrender and admittance or in any similar manner, the trustee shall not be compellable to be admitted to the property, but may deal with it in the same manner as if it had been capable of being and had been duly surrendered or otherwise conveyed to such uses as the trustee may appoint; and any appointee of the trustee shall be admitted to or otherwise invested with the property accordingly.

(5.) Where any part of the property of the bankrupt consists of things in action, such things shall be deemed to have been duly assigned to the trustee.

(6.) Any treasurer or other officer, or any banker, attorney, or agent of a bankrupt, shall pay and deliver to the trustee all money and securities in his possession or power, as such officer, banker, attorney, or agent, which he is not by law entitled to retain as against the bankrupt or the trustee. If he does not he shall be guilty of a contempt of Court, and may be punished accordingly on the application of the trustee.

Seizure of property of bankrupt.

51. Any person acting under warrant of the Court may seize any part of the property of a bankrupt in the custody or possession of the bankrupt, or of any other person, and with a view to such seizure may break open any house, building, or room of the bankrupt where the bankrupt is supposed to be, or any building or receptacle of the bankrupt where any of his property is supposed to be; and where the Court is satisfied that there is reason to believe that property of the bankrupt is concealed in a house or place not belonging to him, the Court may, if it thinks fit, grant a search warrant to any constable or officer of the Court, who may execute it according to its tenor.

Sequestration of ecclesiastical benefice.

52. (1.) Where a bankrupt is a beneficed clergyman, the trustee may apply for a sequestration of the profits of the benefice, and the certificate of the appointment of the trustee shall be sufficient authority for the granting of sequestration without any writ or other proceeding, and the same shall accordingly be issued as on a writ of levari facias founded on a judgment against the bankrupt,

and shall have priority over any other sequestration issued after the commencement of the bankruptcy in respect of a debt provable in the bankruptcy, except a sequestration issued before the date of the receiving order by or on behalf of a person who at the time of the issue thereof had not notice of an act of bankruptcy committed by the bankrupt, and available for grounding a receiving order against him.

(2.) The bishop of the diocese in which the benefice is situate may, if he thinks fit, appoint to the bankrupt such or the like stipend as he might by law have appointed to a curate duly licensed to serve the benefice in case the bankrupt had been non-resident, and the sequestrator shall pay the sum so appointed out of the profits of the benefice to the bankrupt, by quarterly instalments while he performs the duties of the benefice.

(3.) The sequestrator shall also pay out of the profits of the benefice the salary payable to any duly licensed curate of the church of the benefice in respect of duties performed by him as such during four months before the date of the receiving order not exceeding fifty pounds.

(4.) Nothing in this section shall prejudice the operation of the Ecclesiastical Dilapidations Act, 1871, or the Sequestration Act, 1871, or any mortgage or charge duly created under any Act of Parliament before the commencement of the bankruptcy on the profits of the benefice. 34 & 35 Vict. c. 43. 34 & 35 Vict. c. 45.

Appropriation of portion of pay or salary to creditors.

53. (1.) Where a bankrupt is an officer of the army or navy, or an officer or clerk or otherwise employed or engaged in the civil service of the Crown, the trustee shall receive for distribution amongst the creditors so much of the bankrupt's pay or salary as the Court, on the application of the trustee, with the consent of the chief officer of the department under which the pay or salary is enjoyed, may direct. Before making any order under this sub-section the Court shall communicate with the chief officer of the department as to the amount, time, and manner of the payment to the trustee, and shall obtain the written consent of the chief officer to the terms of such payment.

(2.) Where a bankrupt is in the receipt of a salary or income other than as aforesaid, or is entitled to any half pay, or pension, or to any compensation granted by the Treasury, the Court, on the application of the trustee, shall from time to time make such order as it thinks just for the payment of the salary, income, half pay, pension, or compensation, or of any part thereof, to the trustee to be applied by him in such manner as the Court may direct.

(3.) Nothing in this section shall take away or abridge any power of the chief officer of any public department to dismiss a bankrupt, or to declare the pension, half pay, or compensation of any bankrupt to be forfeited.

Vesting and transfer of property.

54. (1.) Until a trustee is appointed the official receiver shall be the trustee for the purposes of this Act, and immediately on a debtor being adjudged bankrupt, the property of the bankrupt shall vest in the trustee.

(2.) On the appointment of a trustee the property shall forthwith pass to and vest in the trustee appointed.

(3.) The property of the bankrupt shall pass from trustee to trustee, including under that term the official receiver when he fills the office of trustee, and shall vest in the trustee for the time being during his continuance in office, without any conveyance, assignment, or transfer whatever.

(4.) The certificate of appointment of a trustee shall, for all purposes of any law in force in any part of the British dominions requiring registration, enrolment, or recording of conveyances or assignments of property, be deemed to be a conveyance or assignment of property, and may be registered, enrolled, and recorded accordingly.

Disclaimer of onerous property.

55. (1.) Where any part of the property of the bankrupt consists of land of any tenure burdened with onerous covenants, of shares or stock in companies, of unprofitable contracts, or of any other property that is unsaleable, or not readily saleable, by reason of its binding the possessor thereof to the performance of any onerous act, or to the payment of any sum of money, the trustee, notwithstanding that he has endeavoured to sell or has taken possession of the property, or exercised any act of ownership in relation thereto, but subject to the provisions of this section, may, by writing signed by him, at any time within three months after the first appointment of a trustee, disclaim the property.

Provided that where any such property shall not have come to the knowledge of the trustee within one month after such appointment, he may disclaim such property at any time within two months after he first became aware thereof.

(2.) The disclaimer shall operate to determine, as from the date of disclaimer, the rights, interests, and liabilities of the bankrupt and his property in or in respect of the property disclaimed, and shall also discharge the trustee from all personal liability in respect of the property disclaimed as from the date when the property vested in him, but shall not, except so far as is necessary for the purpose of releasing the bankrupt and his property and the trustee from liability, affect the rights or liabilities of any other person.

(3.) A trustee shall not be entitled to disclaim a lease without the leave of the Court, except in any cases which may be prescribed by general rules, and the Court may, before or on granting such leave, require such notices to be given to persons interested, and impose such terms as a condition of granting leave, and make such orders with respect to fixtures, tenant's improvements, and other matters arising out of the tenancy as the Court thinks just.

(4.) The trustee shall not be entitled to disclaim any property in pursuance of this section in any case where an application in writing has been made to the trustee by any person interested in the property requiring him to decide whether he will disclaim or not, and the trustee has for a period of twenty-eight days after the receipt of the application, or such extended period as may be allowed by the Court, declined or neglected to give notice whether he disclaims the property or not; and, in the case of a contract, if the trustee, after such application as aforesaid, does not within the said period or extended period disclaim the contract, he shall be deemed to have adopted it.

(5.) The court may, on the application of any person who is, as against the trustee, entitled to the benefit or subject to the burden of a contract made with the bankrupt, make an order rescinding the contract on such terms as to payment by or to either party of damages for the non-performance of the contract, or otherwise, as to the Court may seem equitable, and any damages payable under the order to any such person may be proved by him as a debt under the bankruptcy.

(6.) The Court may, on application by any person either claiming any interest in any disclaimed property, or under any liability not discharged by this Act in respect of any disclaimed property, and on hearing such persons as it thinks fit, make an order for the vesting of the property in or delivery thereof to any person entitled thereto, or to whom it may seem just that the same should be delivered by way of compensation for such liability as aforesaid, or a trustee for him, and on such terms as the Court thinks just; and on any such vesting order being made, the property comprised therein shall vest accordingly in the person therein named in that behalf without any conveyance or assignment for the purpose.

Provided always, that where the property disclaimed is of a leasehold nature, the court shall not make a vesting order in favour of any person claiming under the bankrupt, whether as under-lessee or as mortgagee by demise except upon the terms of making such person subject to the same liabilities and obligations as the bankrupt was subject to under the lease in respect of the property at the date when the bankruptcy petition was filed, and any mortgagee or under-lessee declining to accept a vesting order upon such terms shall be excluded from all interest in and security upon the property, and if there shall be no person claiming under the bankrupt who is willing to accept an order upon such terms, the court shall have power to vest the bankrupt's estate and interest in the property in any person liable either personally or in a representative character, and either alone or jointly with the bankrupt to perform the lessee's covenants in such lease, freed and discharged from all estates, incumbrances, and interests created therein by the bankrupt.

(7.) Any person injured by the operation of a disclaimer under this section shall be deemed to be a creditor of the bankrupt to the extent of the injury, and may accordingly prove the same as a debt under the bankruptcy.

Powers of trustee to deal with property.

56. Subject to the provisions of this Act, the trustee may do all or any of the following things:

(1.) Sell all or any part of the property of the bankrupt (including the goodwill of the business, if any, and the book debts due or growing due to the bankrupt), by public auction or private contract, with power to transfer the whole thereof to any person or company, or to sell the same in parcels.

(2.) Give receipts for any money received by him, which receipts shall effectually discharge the person paying the money from all responsibility in respect of the application thereof:

(3.) Prove, rank, claim, and draw a dividend in respect of any debt due to the bankrupt

(4.) Exercise any powers the capacity to exercise which is vested in the trustee under this Act, and execute any powers of attorney, deeds, and other instruments for the purpose of carrying into effect the provisions of this Act:

(5.) Deal with any property to which the bankrupt is beneficially entitled as tenant in tail in the same manner as the bankrupt might have dealt with it; and sections fifty-six to seventy-three (both inclusive) of the Act of the session of the third and fourth years of the reign of King William the Fourth (chapter seventy-four), "for the abolition of fines and recoveries, and for the "substitution of more simple modes of assurance," shall extend and apply to proceedings under this Act, as if those sections were here re-enacted and made applicable in terms to those proceedings.

Powers exercisable by trustee with permission of committee of inspection.

57. The trustee may, with the permission of the committee of inspection, do all or any of the following things:

(1.) Carry on the business of the bankrupt, so far as may be necessary for the beneficial winding up of the same:

(2.) Bring, institute, or defend any action or other legal proceeding relating to the property of the bankrupt:

(3.) Employ a solicitor or other agent to take any proceedings or do any business which may be sanctioned by the committee of inspection:

(4.) Accept as the consideration for the sale of any property of the bankrupt a sum of money payable at a future time subject to such stipulations as to security and otherwise as the committee think fit:

(5.) Mortgage or pledge any part of the property of the bankrupt for the purpose of raising money for the payment of his debts:

(6.) Refer any dispute to arbitration, compromise all debts, claims, and liabilities, whether present or future, certain or contingent, liquidated or unliquidated, subsisting or supposed to subsist between the bankrupt and any person who may have incurred any liability to the bankrupt, on the receipt of such sums, payable at such times, and generally on such terms as may be agreed on:

(7.) Make such compromise or other arrangement as may be thought expedient with creditors, or persons claiming to be creditors, in respect of any debts provable under the bankruptcy:

(8.) Make such compromise or other arrangement as may be thought expedient with respect to any claim arising out of or incidental to the property of the bankrupt, made or capable of being made on the trustee by any person or by the trustee on any person:

(9.) Divide in its existing form amongst the creditors, according to its estimated value, any property which from its peculiar nature or other special circumstances cannot be readily or advantageously sold.

The permission given for the purposes of this section shall not be a general permission to do all or any of the above-mentioned things, but shall only be a permission to do the particular thing or things for which permission is sought in the specified case or cases.

Distribution of Property.

Declaration and distribution of dividends.

58. (1.) Subject to the retention of such sums as may be necessary for the costs of administration, or otherwise, the trustee shall, with all convenient speed, declare and distribute dividends amongst the creditors who have proved their debts.

(2.) The first dividend, if any, shall be declared and distributed within four months after the conclusion of the first meeting of creditors, unless the trustee satisfies the committee of inspection that there is sufficient reason for postponing the declaration to a later date.

(3.) Subsequent dividends shall, in the absence of sufficient reason to the contrary, be declared and distributed at intervals of not more than six months.

(4.) Before declaring a dividend the trustee shall cause notice of his intention to do so to be gazetted in the prescribed manner, and shall also send reasonable notice thereof to each creditor mentioned in the bankrupt's statement who has not proved his debt.

(5.) When the trustee has declared a dividend he shall send to each creditor who has proved a notice showing the amount of the dividend and when and how it is payable, and a statement in the prescribed form as to the particulars of the estate.

Joint and separate dividends.

59. (1.) Where one partner of a firm is adjudged bankrupt, a creditor to whom the bankrupt is indebted jointly with the other partners of the firm, or any of them, shall not receive any dividend out of the separate property of the bankrupt until all the separate creditors have received the full amount of their respective debts.

(2.) Where joint and separate properties are being administered, dividends of the joint and separate properties shall, subject to any order to the contrary that may be made by the Court on the application of any person interested, be declared together; and the expenses of and incident to such dividends shall be fairly apportioned by the trustee between the joint and separate properties, regard being had to the work done for and the benefit received by each property.

Provision for creditors residing at a distance, &c.

60. In the calculation and distribution of a dividend the trustee shall make provision for debts provable in bankruptcy appearing from the bankrupt's statements, or otherwise, to be due to persons resident in places so distant from the place where the trustee is acting that in the ordinary course of communication they have not had sufficient time to tender their proofs, or to establish them if disputed, and also for debts provable in bankruptcy, the subject of claims not yet determined. He shall also make provision for any disputed proofs or claims, and for the expenses necessary for the administration of the estate or otherwise, and, subject to the foregoing provisions, he shall distribute as dividend all money in hand.

Right of creditor who has not proved debt before declaration of a dividend.

61. Any creditor who has not proved his debt before the declaration of any dividend or dividends shall be entitled to be paid out of any money for the time being in the hands of the trustee any dividend or dividends he may have failed to receive before that money is applied to the payment of any future dividend or dividends, but he shall not be entitled to disturb the distribution

of any dividend declared before his debt was proved by reason that he has not participated therein.

Final dividend.

62. When the trustee has realised all the property of the bankrupt, or so much thereof as can, in the joint opinion of himself and of the committee of inspection, be realised without needlessly protracting the trusteeship, he shall declare a final dividend, but before so doing he shall give notice in manner prescribed to the persons whose claims to be creditors have been notified to him, but not established to his satisfaction, that if they do not establish their claims to the satisfaction of the Court within a time limited by the notice, he will proceed to make a final dividend, without regard to their claims. After the expiration of the time so limited, or, if the Court on application by any such claimant grant him further time for establishing his claim, then on the expiration of such further time, the property of the bankrupt shall be divided among the creditors who have proved their debts, without regard to the claims of any other persons.

No action for dividend.

63. No action for a dividend shall lie against the trustee, but if the trustee refuses to pay any dividend the Court may, if it thinks fit, order him to pay it, and also to pay out of his own money interest thereon for the time that it is withheld, and the costs of the application.

Power to allow bankrupt to manage property.

64. (1.) The trustee, with the permission of the committee of inspection, may appoint the bankrupt himself to superintend the management of the property of the bankrupt or of any part thereof, or to carry on the trade (if any) of the bankrupt for the benefit of his creditors, and in any other respect to aid in administering the property in such manner and on such terms as the trustee may direct.

Allowance to bankrupt for maintenance or service.

(2.) The trustee may from time to time, with the permission of the committee of inspection, make such allowance as he may think just to the bankrupt out of his property for the support of the bankrupt and his family, or in consideration of his services if he is engaged in winding up his estate, but any such allowance may be reduced by the Court.

Right of bankrupt to surplus.

65. The bankrupt shall be entitled to any surplus remaining after payment in full of his creditors, with interest, as by this Act provided, and of the costs, charges, and expenses of the proceedings under the bankruptcy petition.

PART IV.

OFFICIAL RECEIVERS AND STAFF OF BOARD OF TRADE.

Appointment by Board of Trade of official receivers of debtors' estates.

66. (1.) The Board of Trade may, at any time after the passing of this Act, and from time to time, appoint such persons as they think fit to be official receivers of debtors' estates, and may remove any person so appointed from such office. The official receivers of debtors' estates shall act under the general authority and directions of the Board of Trade, but shall also be officers of the courts to which they are respectively attached.

(2.) The number of official receivers so to be appointed, and the districts to be assigned to them, shall be fixed by the Board of Trade, with the concurrence of the Treasury. One person only shall be appointed for each district unless the Board of Trade, with

the concurrence of the Treasury, shall otherwise direct; but the same person may, with the like concurrence, be appointed to act for more than one district.

(3.) Where more than one official receiver is attached to the Court, such one of them as is for the time being appointed by the Court for any particular estate shall be the official receiver for the purposes of that estate. The Court shall distribute the receiverships of the particular estates among the official receivers in the prescribed manner.

Deputy for official receiver.

67. (1.) The Board of Trade may from time to time, by order direct that any of its officers mentioned in the order shall be capable of discharging the duties of any official receiver during any temporary vacancy in the office, or during the temporary absence of any official receiver through illness or otherwise.

(2.) The Board of Trade may, on the application of an official receiver, at any time by order nominate some fit person to be his deputy, and to act for him for such time not exceeding two months as the order may fix, and under such conditions as to remuneration and otherwise as may be prescribed.

Status of official receiver.

68. (1.) The duties of the official receiver shall have relation both to the conduct of the debtor and to the administration of his estate.

(2.) An official receiver may, for the purpose of affidavits verifying proofs, petitions, or other proceedings under this Act, administer oaths.

(3.) All expressions referring to the trustee under a bankruptcy shall, unless the context otherwise requires, or the Act otherwise provides, include the official receiver when acting as trustee.

(4.) The trustee shall supply the official receiver with such information, and give him such access to, and facilities for inspecting the bankrupt's books and documents and generally shall give him such aid, as may be requisite for enabling the official receiver to perform his duties under this Act.

Duties of official receiver as regards the debtor's conduct.

69. As regards the debtor, it shall be the duty of the official receiver—

(1.) To investigate the conduct of the debtor and to report to the Court, stating whether there is reason to believe that the debtor has committed any act which constitutes a misdemeanor under the Debtors Act, 1869, or any amendment thereof, or under this Act, or which would justify the Court in refusing, suspending or qualifying an order for his discharge.

(2.) To make such other reports concerning the conduct of the debtor as the Board of Trade may direct.

(3.) To take such part as may be directed by the Board of Trade in the public examination of the debtor.

(4.) To take such part, and give such assistance, in relation to the prosecution of any fraudulent debtor as the Board of Trade may direct.

Duties of official receiver as to debtor's estate.

70. (1.) As regards the estate of a debtor it shall be the duty of the official receiver—

(*a.*) Pending the appointment of a trustee, to act as interim receiver of the debtor's estate, and, where a special manager is not appointed, as manager thereof:

(*b.*) To authorise the special manager to raise money or make advances for the purposes of the estate in any case where, in the interests of the creditors, it appears necessary so to do:

(*c.*) To summon and preside at the first meeting of creditors:

(*d.*) To issue forms of proxy for use at the meetings of creditors:

(*e.*) To report to the creditors as to any proposal which the debtor may have made with respect to the mode of liquidating his affairs:

(*f.*) To advertise the receiving order, the date of the creditors first meeting and of the debtor's public examination, and such other matters as it may be necessary to advertise:

(*g.*) To act as trustee during any vacancy in the office of trustee.

(2.) For the purpose of his duties as interim receiver or manager the official receiver shall have the same powers as if he were a receiver and manager appointed by the High Court, but shall, as far as practicable, consult the wishes of the creditors with respect to the management of the debtor's property, and may for that purpose, if he thinks it advisable, summon meetings of the persons claiming to be creditors, and shall not, unless the Board of Trade otherwise order, incur any expense beyond such as is requisite for the protection of the debtor's property or the disposing of perishable goods.

Provided that when the debtor cannot himself prepare a proper statement of affairs, the official receiver may, subject to any prescribed conditions, and at the expense of the estate, employ some person or persons to assist in the preparation of the statement of affairs.

(3.) Every official receiver shall account to the Board of Trade and pay over all moneys and deal with all securities in such manner as the Board from time to time direct.

Power for Board of Trade to appoint officers.

71. The Board of Trade may, at any time after the passing of this Act, and from time to time, with the approval of the Treasury, appoint such additional officers, including official receivers, clerks, and servants (if any) as may be required by the Board for the execution of this Act, and may dismiss any person so appointed.

PART V.

TRUSTEES IN BANKRUPTCY.

Remuneration of Trustee.

Remuneration of trustee.

72. (1.) Where the creditors appoint any person to be trustee of a debtor's estate, his remuneration (if any) shall be fixed by an ordinary resolution of the creditors or if the creditors so resolve by the Committee of Inspection, and shall be in the nature of a commission or percentage, of which one part shall be payable on the amount realised, after deducting any sums paid to secured creditors out of the proceeds of their securities, and the other part on the amount distributed in dividend.

(2.) If one fourth in number or value of the creditors dissent from the resolution, or the bankrupt satisfies the Board of Trade that the remuneration is unnecessarily large, the Board of Trade shall fix the amount of the remuneration.

(3.) The resolution shall express what expenses the remuneration is to cover, and no liability shall attach to the bankrupt's estate, or

to the creditors, in respect of any expenses which the remuneration is expressed to cover.

(4.) Where no remuneration has been voted to a trustee he shall be allowed out of the bankrupt's estate such proper costs and expenses incurred by him in or about the proceedings of the bankruptcy as the taxing officer may allow.

(5.) A trustee shall not, under any circumstances whatever, make any arrangement for or accept from the bankrupt, or any solicitor, auctioneer, or any other person that may be employed about a bankruptcy, any gift, remuneration, or pecuniary or other consideration or benefit whatever beyond the remuneration fixed by the creditors and payable out of the estate, nor shall he make any arrangement for giving up, or give up, any part of his remuneration, either as receiver, manager, or trustee to the bankrupt, or any solicitor or other person that may be employed about a bankruptcy.

Costs.

Allowance and taxation of costs.

73. (1.) Where a trustee or manager receives remuneration for his services as such no payment shall be allowed in his accounts in respect of the performance by any other person of the ordinary duties which are required by statute or rules to be performed by himself.

(2.) Where the trustee is a solicitor he may contract that the remuneration for his services as trustee shall include all professional services.

(3.) All bills and charges of solicitors, managers, accountants, auctioneers, brokers, and other persons, not being trustees, shall be taxed by the prescribed officer, and no payments in respect thereof shall be allowed in the trustee's accounts without proof of such taxation having been made. The taxing master shall satisfy himself before passing such bills and charges that the employment of such solicitors and other persons, in respect of the particular matters out of which such charges arise, has been duly sanctioned.

(4.) Every such person shall, on request by the trustee (which request the trustee shall make a sufficient time before declaring a dividend), deliver his bill of costs or charges to the proper officer for taxation, and if he fails to do so within seven days after receipt of the request, or such further time as the Court, on application, may grant, the trustee shall declare and distribute the dividend without regard to any claim by him, and thereupon any such claim shall be forfeited as well against the trustee personally as against the estate.

Receipts, Payments, Accounts, Audit.

Payment of money into Bank of England.

74. (1.) An account called the Bankruptcy Estates Account shall be kept by the Board of Trade with the Bank of England, and all moneys received by the Board of Trade in respect of proceedings under this Act shall be paid to that account.

(2.) The account of the Accountant in Bankruptcy at the Bank of England shall be transferred to the Bankruptcy Estates Account.

(3.) Every trustee in bankruptcy shall, in such manner and at such times as the Board of Trade with the concurrence of the Treasury direct, pay the money received by him to the Bankruptcy Estates Account at the Bank of England, and the Board of Trade shall furnish him with a certificate of receipt of the money so paid.

(4.) Provided that if it appears to the committee of inspection that for the purpose of carrying on the debtor's business, or of obtaining advances, or because of the probable amount of the cash balance, or if the committee shall satisfy the Board of Trade that for any other reason it is for the advantage of the creditors that the trustee should have an account with a local bank, the Board of Trade shall, on the application of the committee of inspection, authorise the trustee to make his payments into and out of such local bank as the committee may select.

Such account shall be opened and kept by the trustee in the name of the debtor's estate; and any interest receivable in respect of the account shall be part of the assets of the estate.

The trustee shall make his payments into and out of such local bank in the prescribed manner.

(5.) Subject to any general rules relating to small bankruptcies under Part VII. of this Act, where the debtor at the date of the receiving order has an account at a bank, such account shall not be withdrawn until the expiration of seven days from the day appointed for the first meeting of creditors, unless the Board of Trade, for the safety of the account, or other sufficient cause, order the withdrawal of the account.

(6.) If a trustee at any time retains for more than ten days a sum exceeding fifty pounds, or such other amount as the Board of Trade in any particular case authorise him to retain, then, unless he explains the retention to the satisfaction of the Board of Trade, he shall pay interest on the amount so retained in excess at the rate of twenty pounds per centum per annum, and shall have no claim for remuneration, and may be removed from his office by the Board of Trade, and shall be liable to pay any expenses occasioned by reason of his default.

(7.) All payments out of money standing to the credit of the Board of Trade in the Bankruptcy Estates Account shall be made by the Bank of England in the prescribed manner.

Trustee not to pay into private account.

75. No trustee in a bankruptcy or under any composition or scheme of arrangement shall pay any sums received by him as trustee into his private banking account.

Investment of surplus funds.

76. (1.) Whenever the cash balance standing to the credit of the Bankruptcy Estates Account is in excess of the amount which in the opinion of the Board of Trade is required for the time being to answer demands in respect of bankrupt's estates, the Board of Trade shall notify the same to the Treasury, and shall pay over the same or any part thereof as the Treasury may require to the Treasury, to such account as the Treasury may direct, and the Treasury may invest the said sums or any part thereof in Government securities to be placed to the credit of the said account.

(2.) Whenever any part of the money so invested is, in the opinion of the Board of Trade, required to answer any demands in respect of bankrupts' estates, the Board of Trade shall notify to the Treasury the amount so required, and the Treasury shall thereupon repay to the Board of Trade such sum as may be required to the credit of the Bankruptcy Estates Account, and for that purpose may direct the sale of such part of the said securities as may be necessary.

(3.) The dividends on the investments under this section shall be paid to such account as the Treasury may direct, and regard shall be had to the amount thus derived in fixing the fees payable in respect of bankruptcy proceedings.

Certain receipts and fees to be applied in aid of expenditure.

77. The Treasury may from time to time issue to the Board of Trade in aid of the votes of Parliament, out of the receipts arising from fees, fee stamps, and dividends on investments under this Act, any sums which may be necessary to meet the charges estimated by the Board of Trade in respect of salaries and expenses under this Act.

Audit of trustee's accounts.

78. (1.) Every trustee shall, at such times as may be prescribed, but not less than twice in each year during his tenure of office, send to the Board of Trade, or as they direct, an account of his receipts and payments as such trustee.

(2.) The account shall be in a prescribed form, shall be made in duplicate, and shall be verified by a statutory declaration in the prescribed form.

(3.) The Board of Trade shall cause the accounts so sent to be audited, and for the purposes of the audit the trustee shall furnish the Board with such vouchers and information as the Board may require, and the Board may at any time require the production of and inspect any books or accounts kept by the trustee.

(4.) When any such account has been audited one copy thereof shall be filed and kept by the Board, and the other copy shall be filed with the Court, and each copy shall be open to the inspection of any creditor, or of the bankrupt, or of any person interested.

The trustee to furnish list of creditors.

79. The trustee shall, whenever required by any creditor so to do, and on payment by such creditor of the prescribed fee, furnish and transmit to such creditor by post a list of the creditors, showing in such list the amount of the debt due to each of such creditors.

Books to be kept by trustee.

80. The trustee shall keep, in manner prescribed, proper books, in which he shall from time to time cause to be made entries or minutes of proceedings at meetings, and of such other matters as may be prescribed, and any creditor of the bankrupt may, subject to the control of the Court, personally or by his agent inspect any such books.

Annual statement of proceedings.

81. (1.) Every trustee in a bankruptcy shall from time to time, as may be prescribed, and not less than once in every year during the continuance of the bankruptcy, transmit to the Board of Trade a statement showing the proceedings in the bankruptcy up to the date of the statement, containing the prescribed particulars, and made out in the prescribed form.

(2.) The Board of Trade shall cause the statements so transmitted to be examined, and shall call the trustee to account for any misfeasance, neglect, or omission which may appear on the said statements or in his accounts or otherwise, and may require the trustee to make good any loss which the estate of the bankrupt may have sustained by the misfeasance, neglect, or omission.

Release of Trustee.

Release of trustee.

82. (1.) When the trustee has realised all the property of the bankrupt, or so much thereof as can, in his opinion, be realised

without needlessly protracting the trusteeship, and distributed a final dividend, if any, or has ceased to act by reason of a composition having been approved, or has resigned, or has been removed from his office, the Board of Trade shall, on his application, cause a report on his accounts to be prepared, and, on his complying with all the requirements of the Board, shall take into consideration the report, and any objection which may be urged by any creditor or person interested against the release of the trustee, and shall either grant or withhold the release accordingly, subject nevertheless to an appeal to the High Court.

(2.) Where the release of a trustee is withheld the Court may, on the application of any creditor or person interested, make such order as it thinks just, charging the trustee with the consequences of any act or default he may have done or made contrary to his duty.

(3.) An order of the Board releasing the trustee shall discharge him from all liability in respect of any act done or default made by him in the administration of the affairs of the bankrupt, or otherwise in relation to his conduct as trustee, but any such order may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material fact.

(4.) Where the trustee has not previously resigned or been removed, his release shall operate as a removal of him from his office, and thereupon the official receiver shall be the trustee.

Official Name.

Official name of trustee.

83. The trustee may sue and be sued by the official name of "the trustee of the property of a bankrupt," inserting the name of the bankrupt, and by that name may in any part of the British dominions or elsewhere hold property of every description, make contracts, sue and be sued, enter into any engagements binding on himself and his successors in office, and do all other acts necessary or expedient to be done in the execution of his office.

Appointment and Removal.

Power to appoint joint or successive trustees.

84. (1.) The creditors may, if they think fit, appoint more persons than one to the office of trustee, and when more persons than one are appointed they shall declare whether any act required or authorised to be done by the trustee is to be done by all or any one or more of such persons, but all such persons are in this Act included under the term "trustee," and shall be joint-tenants of the property of the bankrupt.

(2.) The creditors may also appoint persons to act as trustees in succession in the event of one or more of the persons first named declining to accept the office of trustee, or failing to give security, or not being approved of by the Board of Trade.

Office of trustee vacated by insolvency.

85. If a receiving order is made against a trustee he shall thereby vacate his office of trustee.

Removal of trustee.

86. (1.) The creditors may, by ordinary resolution, at a meeting specially called for that purpose, of which seven days notice has been given, remove a trustee appointed by them, and may at the same or any subsequent meeting appoint another person to fill the

vacancy as herein-after provided in case of a vacancy in the office of trustee.

(2.) If the Board of Trade are of opinion that a trustee appointed by the creditors is guilty of misconduct, or fails to perform his duties under this Act, the Board may remove him from his office, but if the creditors, by ordinary resolution, disapprove of his removal, he or they may appeal against it to the High Court.

Proceedings in case of vacancy in office of trustee.

87. (1.) If a vacancy occurs in the office of a trustee the creditors in general meeting may appoint a person to fill the vacancy, and thereupon the same proceedings shall be taken as in the case of a first appointment.

(2.) The official receiver shall, on the requisition of any creditor, summon a meeting for the purpose of filling any such vacancy.

(3.) If the creditors do not within three weeks after the occurrence of a vacancy appoint a person to fill the vacancy, the official receiver shall report the matter to the Board of Trade, and the Board may appoint a trustee; but in such case the creditors or committee of inspection shall have the same power of appointing a trustee as in the case of a first appointment.

(4.) During any vacancy in the office of trustee the official receiver shall act as trustee.

Voting powers of Trustee.

Limitation of voting powers of trustee.

88. The vote of the trustee, or of his partner, clerk, solicitor, or solicitor's clerk, either as creditor or as proxy for a creditor, shall not be reckoned in the majority required for passing any resolution affecting the remuneration or conduct of the trustee.

Control over Trustee.

Discretionary powers of trustee and control thereof.

89. (1.) Subject to the provisions of this Act the trustee shall, in the administration of the property of the bankrupt and in the distribution thereof amongst his creditors, have regard to any directions that may be given by resolution of the creditors at any general meeting, or by the committee of inspection, and any directions so given by the creditors at any general meeting shall in case of conflict be deemed to override any directions given by the committee of inspection.

(2.) The trustee may from time to time summon general meetings of the creditors for the purpose of ascertaining their wishes, and it shall be his duty to summon meetings at such times as the creditors, by resolution, either at the meeting appointing the trustee or otherwise may direct, or whenever requested in writing to do so by one fourth in value of the creditors.

(3.) The trustee may apply to the Court in manner prescribed for directions in relation to any particular matter arising under the bankruptcy.

(4.) Subject to the provisions of this Act the trustee shall use his own discretion in the management of the estate and its distribution among the creditors.

Appeal to Court against trustee.

90. If the bankrupt or any of the creditors, or any other person, is aggrieved by any act or decision of the trustee, he may apply to the Court, and the Court may confirm, reverse, or modify the act or decision complained of, and make such order in the premises as it thinks just.

Control of Board of Trade over trustees.

91. (1.) The Board of Trade shall take cognizance of the conduct of trustees, and in the event of any trustee not faithfully performing his duties, and duly observing all the requirements imposed on him by statute, rules or otherwise, with respect to the performance of his duties, or in the event of any complaint being made to the Board by any creditor in regard thereto, the Board shall inquire into the matter and take such action thereon as may be deemed expedient.

(2.) The Board may at any time require any trustee to answer any inquiry made by them in relation to any bankruptcy in which the trustee is engaged, and may, if the Board think fit, apply to the Court to examine on oath the trustee or any other person concerning the bankruptcy.

(3.) The Board may also direct a local investigation to be made of the books and vouchers of the trustee.

PART VI.

CONSTITUTION, PROCEDURE, AND POWERS OF COURT.

Jurisdiction.

Jurisdiction to be exercised by High Court and county courts.

92. (1.) The Courts having jurisdiction in bankruptcy shall be the High Court and the county courts.

(2.) But the Lord Chancellor may from time to time, by order under his hand, exclude any county court from having jurisdiction in bankruptcy, and for the purposes of bankruptcy jurisdiction may attach its district or any part thereof to the High Court, or to any other county court or courts, and may from time to time revoke or vary any order so made. The Lord Chancellor may, in like manner and subject to the like conditions, detach the district of any county court or any part thereof from the district and jurisdiction of the High Court.

(3.) The term "district," when used in this Act with reference to a county court, means the district of the court for the purposes of bankruptcy jurisdiction.

(4.) A county court which, at the commencement of this Act, is excluded from having bankruptcy jurisdiction, shall continue to be so excluded until the Lord Chancellor otherwise orders.

(5.) Periodical sittings for the transaction of bankruptcy business by county courts having jurisdiction in bankruptcy shall be holden at such times and at such intervals as the Lord Chancellor shall prescribe for each such court.

Consolidation of London

93. (1.) From and after the commencement of this Act the London Bankruptcy Court shall be united and consolidated with and form part of the Supreme Court of Judicature, and the jurisdiction of the London Bankruptcy Court shall be transferred to the High Court.

(2.) For the purposes of this union, consolidation, and transfer, and of all matters incidental thereto and consequential thereon, the Supreme Court of Judicature Act, 1873, as amended by subsequent Acts, shall, subject to the provisions of this Act, have effect as if the union, consolidation, and transfer had been effected by that Act, except that all expressions referring to the time appointed for the commencement of that Act shall be construed as referring

to the commencement of this Act, and, subject as aforesaid, this Act and the said above-mentioned Acts shall be read and construed together.

Transaction of Bankruptcy business by special judge of High Court.

94. (1.) Subject to general rules, and to orders of transfer made under the authority of the Supreme Court of Judicature Act, 1873, and Acts amending it,—

(*a.*) All matters pending in the London Bankruptcy Court at the commencement of this Act; and

(*b.*) All matters which would have been within the exclusive jurisdiction of the London Bankruptcy Court, if this Act had not passed; and

(*c.*) All matters in respect of which jurisdiction is given to the High Court by this Act,

shall be assigned to such Division of the High Court as the Lord Chancellor may from time to time direct.

(2.) All such matters shall, subject as aforesaid, be ordinarily transacted and disposed of by or under the direction of one of the judges of the High Court, and the Lord Chancellor shall from time to time assign a judge for that purpose.

(3.) Provided that during vacation, or during the illness of the judge so assigned, or during his absence or for any other reasonable cause such matters, or any part thereof, may be transacted and disposed of by or under the directions of any judge of the High Court named for that purpose by the Lord Chancellor.

(4.) Subject to the provisions of this Act, the officers, clerks, and subordinate persons who are, at the commencement of this Act, attached to the London Bankruptcy Court, and their successors, shall be officers of the Supreme Court of Judicature, and shall be attached to the High Court.

(5.) Subject to general rules, all bankruptcy matters shall be entitled, "In bankruptcy."

Petition, where to be presented.

95. (1.) If the debtor against or by whom a bankruptcy petition is presented has resided or carried on business within the London bankruptcy district as defined by this Act for the greater part of the six months immediately preceding the presentation of the petition, or for a longer period during those six months than in the district of any county court, or is not resident in England, or if the petitioning creditor is unable to ascertain the residence of the debtor, the petition shall be presented to the High Court.

(2.) In any other case the petition shall be presented to the county court for the district in which the debtor has resided or carried on business for the longest period during the six months immediately preceding the presentation of the petition.

(3.) Nothing in this section shall invalidate a proceeding by reason of its being taken in a wrong court.

Definition of the London Bankruptcy District.

96. The London Bankruptcy District shall, for the purposes of this Act, comprise the city of London and the liberties thereof, and all such parts of the metropolis and other places as are situated within the district of any county court described as a metropolitan county court in the list contained in the Third Schedule.

Transfer of proceedings from court to court.

97. (1.) Subject to the provisions of this Act, every court having original jurisdiction in bankruptcy shall have jurisdiction throughout England.

(2.) Any proceedings in bankruptcy may at any time, and at any stage thereof, and either with or without application from any of the parties thereto, be transferred by any prescribed authority and in the prescribed manner from one court to another court, or may by the like authority be retained in the court in which the proceedings were commenced, although it may not be the court in which the proceedings ought to have been commenced.

(3.) If any question of law arises in any bankruptcy proceeding in a county court which all the parties to the proceeding desire, or which one of them and the judge of the county court may desire, to have determined in the first instance in the High Court, the judge shall state the facts, in the form of a special case, for the opinion of the High Court. The special case and the proceedings, or such of them as may be required, shall be transmitted to the High Court for the purposes of the determination.

Exercise in chambers of High Court jurisdiction.

98. Subject to the provisions of this Act and to general rules the judge of the High Court exercising jurisdiction in bankruptcy may exercise in chambers the whole or any part of his jurisdiction.

Jurisdiction in bankruptcy of registrar.

99. (1.) The registrars in bankruptcy of the High Court, and the registrars of a county court having jurisdiction in bankruptcy, shall have the powers and jurisdiction in this section mentioned, and any order made or act done by such registrars in the exercise of the said powers and jurisdiction shall be deemed the order or act of the Court.

(2.) Subject to general rules limiting the powers conferred by this section, a registrar shall have power—

(*a.*) To hear bankruptcy petitions, and to make receiving orders and adjudications thereon:

(*b.*) To hold the public examination of debtors:

(*c.*) To grant orders of discharge where the application is not opposed:

(*d.*) To approve compositions or schemes of arrangement when they are not opposed:

(*e.*) To make interim orders in any case of urgency:

(*f.*) To make any order or exercise any jurisdiction which by any rule in that behalf is prescribed as proper to be made or exercised in chambers:

(*g.*) To hear and determine any unopposed or ex parte application:

(*h.*) To summon and examine any person known or suspected to have in his possession effects of the debtor or to be indebted to him, or capable of giving information respecting the debtor, his dealings or property.

(3.) The Registrars in bankruptcy of the High Court shall also have power to grant orders of discharge and certificates of removal of disqualifications, and to approve compositions and schemes of arrangement.

(4.) A registrar shall not have power to commit for contempt of court.

(5.) The Lord Chancellor may from time to time by order direct that any specified registrar of a county court shall have and exercise all the powers of a bankruptcy registrar of the High Court.

100. A county court shall, for the purposes of its bankruptcy jurisdiction, in addition to the ordinary powers of the Court, have all the powers and jurisdiction of the High Court, and the orders of the Court may be enforced accordingly in manner prescribed. Powers of county court.

101. Where any moneys or funds have been received by an official receiver or by the Board of Trade, and the Court makes an order declaring that any person is entitled to such moneys or funds the Board of Trade shall make an order for the payment thereof to the person so entitled as aforesaid. Board of Trade to make payments in accordance with directions of Court.

102. (1.) Subject to the provisions of this Act, every court having jurisdiction in bankruptcy under this Act shall have full power to decide all questions of priorities, and all other questions whatsoever, whether of law or fact, which may arise in any case of bankruptcy coming within the cognizance of the Court, or which the Court may deem it expedient or necessary to decide for the purpose of doing complete justice or making a complete distribution of property in any such case. General power of bankruptcy courts.

Provided that the jurisdiction hereby given shall not be exercised by the county court for the purpose of adjudicating upon any claim, not arising out of the bankruptcy, which might heretofore have been enforced by action in the High Court, unless all parties to the proceeding consent thereto, or the money, money's worth, or right in dispute does not in the opinion of the judge exceed in value two hundred pounds.

(2.) A court having jurisdiction in bankruptcy under this Act shall not be subject to be restrained in the execution of its powers under this Act by the order of any other court, nor shall any appeal lie from its decisions, except in manner directed by this Act.

(3.) If in any proceeding in bankruptcy there arises any question of fact which either of the parties desire to be tried before a jury instead of by the Court itself, or which the Court thinks ought to be tried by a jury, the Court may if it thinks fit direct the trial to be had, with a jury and the trial may be had accordingly, in the High Court in the same manner as if it were the trial of an issue of fact in an action, and in the county court in the manner in which jury trials in ordinary cases are by law held in that court.

(4.) Where a receiving order has been made in the High Court under this Act, the judge by whom such order was made shall have power, if he sees fit, without any further consent, to order the transfer to such judge of any action pending in any other division, brought or continued by or against the bankrupt.

(5.) Where default is made by a trustee, debtor, or other person in obeying any order or direction given by the Board of Trade or by an official receiver or any other officer of the Board of Trade under any power conferred by this Act, the court may, on the application of the Board of Trade or an official receiver or other duly authorised person order such defaulting trustee, debtor, or person to comply with the order or direction so given; and the court may also, if it shall think fit, upon any such application make an immediate order for the committal of such defaulting trustee, debtor, or other person; provided that the power given by this subsection shall be deemed to be in addition to and not in substitution for any other right or remedy in respect of such default.

Judgment Debtors.

Judgment debtor's summons to be bankruptcy business.

103. (1.) It shall be lawful for the Lord Chancellor by order to direct that the jurisdiction and powers under section five of the Debtor's Act, 1869, now vested in the High Court, shall be assigned to and exercised by the judge to whom bankruptcy business is assigned.

(2.) It shall be lawful also for the Lord Chancellor in like manner to direct that the whole or any part of the said jurisdiction and powers shall be delegated to and exercised by the bankruptcy registrars of the High Court.

(3.) Any order made under this section may, at any time, in like manner, be rescinded or varied.

(4.) Every county court within the jurisdiction of which a judgment debtor is or resides shall have jurisdiction under section five of the Debtor's Act, 1869, although the amount of the judgment debt may exceed fifty pounds.

(5.) Where, under section five of the Debtor's Act, 1869, application is made by a judgment creditor to a court, having bankruptcy jurisdiction, for the committal of a judgment debtor, the court may, if it thinks fit, decline to commit, and in lieu thereof, with the consent of the judgment creditor, and on payment by him of the prescribed fee, make a receiving order against the debtor. In such case the judgment debtor shall be deemed to have committed an act of bankruptcy at the time the order is made.

(6.) General rules under this Act may be made for the purpose of carrying into effect the provisions of the Debtor's Act, 1869.

Appeals.

Appeals in bankruptcy.

104. (1.) Every court having jurisdiction in bankruptcy under this Act may review, rescind, or vary any order made by it under its bankruptcy jurisdiction.

(2.) Orders in bankruptcy matters shall, at the instance of any person aggrieved, be subject to appeal as follows:

(*a.*) An appeal shall lie from the order of a county court to Her Majesty's Court of Appeal:

(*b.*) An appeal shall lie from the order of the High Court to Her Majesty's Court of Appeal:

(*c.*) An appeal shall, with the leave of Her Majesty's Court of Appeal, but not otherwise, lie from the order of that Court to the House of Lords:

(*d.*) No appeal shall be entertained except in conformity with such general rules as may for the time being be in force in relation to the appeal.

Procedure.

Discretionary powers of the Court.

105. (1.) Subject to the provisions of this Act and to general rules, the costs of and incidental to any proceeding in Court under this Act shall be in the discretion of the Court: Provided that where any issue is tried by a jury the costs shall follow the event, unless, upon application made at the trial, for good cause shown, the judge before whom such issue is tried shall otherwise order.

(2.) The Court may at any time adjourn any proceedings before it upon such terms, if any, as it may think fit to impose.

(3.) The Court may at any time amend any written process or proceeding under this Act upon such terms, if any, as it may think fit to impose.

(4.) Where by this Act or by general rules, the time for doing any Act or thing is limited, the Court may extend the time either before or after the expiration thereof, upon such terms, if any, as the Court may think fit to impose.

(5.) Subject to general rules, the Court may in any matter take the whole or any part of the evidence either vivâ voce, or by interrogatories, or upon affidavit, or by commission abroad.

(6.) For the purpose of approving a composition or scheme by joint debtors, the Court may, if it thinks fit, and on the report of the official receiver that it is expedient so to do, dispense with the public examination of one of such joint debtors if he is unavoidably prevented from attending the examination by illness or absence abroad.

Consolidation of petitions.

106. Where two or more bankruptcy petitions are presented against the same debtor or against joint debtors, the Court may consolidate the proceedings, or any of them, on such terms as the Court thinks fit.

Power to change carriage of proceedings.

107. Where the petitioner does not proceed with due diligence on his petition, the Court may substitute as petitioner any other creditor to whom the debtor may be indebted in the amount required by this Act in the case of the petitioning creditor.

Continuance of proceedings on death of debtor.

108. If a debtor by or against whom a bankruptcy petition has been presented dies, the proceedings in the matter shall, unless the Court otherwise orders, be continued as if he were alive.

Power to stay proceedings.

109. The Court may at any time, for sufficient reason, make an order staying the proceedings under a bankruptcy petition, either altogether or for a limited time, on such terms and subject to such conditions as the Court may think just.

Power to present petition against one partner.

110. Any creditor whose debt is sufficient to entitle him to present a bankruptcy petition against all the partners of a firm may present a petition against any one or more partners of the firm without including the others.

Power to dismiss petition against some respondents only.

111. Where there are more respondents than one to a petition the Court may dismiss the petition as to one or more of them, without prejudice to the effect of the petition as against the other or others of them.

Property of partners to be vested in same trustee.

112. Where a receiving order has been made on a bankruptcy petition against or by one member of a partnership, any other bankruptcy petition against or by a member of the same partnership shall be filed in or transferred to the Court in which the first-mentioned petition is in course of prosecution, and, unless the Court otherwise directs, the same trustee or receiver shall be appointed as may have been appointed in respect of the property of the first-mentioned member of the partnership, and the Court may give such directions for consolidating the proceedings under the petitions as it thinks just.

Actions by trustee and bankrupt's partners.

113. Where a member of a partnership is adjudged bankrupt, the Court may authorise the trustee to commence and prosecute any action in the names of the trustee and of the bankrupt's partner; and any release by such partner of the debt or demand to

which the action relates shall be void; but notice of the application for authority to commence the action shall be given to him, and he may show cause against it, and on his application the Court may, if it thinks fit, direct that he shall receive his proper share of the proceeds of the action, and if he does not claim any benefit therefrom he shall be indemnified against costs in respect thereof as the Court directs.

Actions on joint contracts.

114. Where a bankrupt is a contractor in respect of any contract jointly with any person or persons, such person or persons may sue or be sued in respect of the contract without the joinder of the bankrupt.

Proceedings in partnership name.

115. Any two or more persons, being partners, or any person carrying on business under a partnership name, may take proceedings or be proceeded against under this Act in the name of the firm, but in such case the Court may, on application by any person interested, order the names of the persons who are partners in such firm or the name of such person to be disclosed in such manner, and verified on oath, or otherwise as the Court may direct.

Officers.

Disabilities of officers.

116. (1.) No registrar or other officer attached to any court having jurisdiction in bankruptcy shall, during his continuance in office, be capable of being elected or sitting as a member of the House of Commons.

(2.) No registrar or official receiver or other officer attached to any such court shall, during his continuance in office, either directly or indirectly, by himself, his clerk, or partner, act as solicitor in any proceeding in bankruptcy or in any prosecution of a debtor by order of the Court, and if he does so act he shall be liable to be dismissed from office.

Provided that nothing in this section shall affect the right of any registrar or officer appointed before the passing of this Act to act as solicitor by himself, his clerk, or partner to the extent permitted by section sixty-nine of the Bankruptcy Act, 1869.

Orders and Warrants of Court.

Enforcement of orders of courts throughout the United Kingdom.

117. Any order made by a court having jurisdiction in bankruptcy in England under this Act shall be enforced in Scotland and Ireland in the courts having jurisdiction in bankruptcy in those parts of the United Kingdom respectively, in the same manner in all respects as if the order had been made by the Court hereby required to enforce it; and in like manner any order made by a court having jurisdiction in bankruptcy in Scotland shall be enforced in England and Ireland, and any order made by a court having jurisdiction in bankruptcy in Ireland shall be enforced in England and Scotland by the courts respectively having jurisdiction in bankruptcy in the part of the United Kingdom where the orders may require to be enforced, and in the same manner in all respects as if the order had been made by the Court required to enforce it in a case of bankruptcy within its own jurisdiction.

Courts to be auxiliary to each other.

118. The High Court, the county courts, the courts having jurisdiction in bankruptcy in Scotland and Ireland, and every British court elsewhere having jurisdiction in bankruptcy or insolvency,

and the officers of those courts respectively, shall severally act in aid of and be auxiliary to each other in all matters of bankruptcy, and an order of the court seeking aid, with a request to another of the said courts, shall be deemed sufficient to enable the latter court to exercise, in regard to the matters directed by the order, such jurisdiction as either the court which made the request, or the court to which the request is made, could exercise in regard to similar matters within their respective jurisdictions.

Warrants of Bankruptcy Courts.

119. (1.) Any warrant of a court having jurisdiction in bankruptcy in England may be enforced in Scotland, Ireland, the Isle of Man, the Channel Islands, and elsewhere in Her Majesty's dominions, in the same manner and subject to the same privileges in and subject to which a warrant issued by any justice of the peace against a person for an indictable offence against the laws of England may be executed in those parts of Her Majesty's dominions respectively in pursuance of the Acts of Parliament in that behalf.

(2.) A search warrant issued by a court having jurisdiction in bankruptcy for the discovery of any property of a debtor may be executed in manner prescribed or in the same manner and subject to the same privileges in and subject to which a search warrant for property supposed to be stolen may be executed according to law.

Commitment to prison.

120. Where the Court commits any person to prison, the commitment may be to such convenient prison as the Court thinks expedient, and if the gaoler of any prison refuses to receive any prisoner so committed he shall be liable for every such refusal to a fine not exceeding one hundred pounds.

PART VII.

Small Bankruptcies.

Summary administration in small cases.

121. When a petition is presented by or against a debtor, if the Court is satisfied by affidavit or otherwise, or the official receiver reports to the Court that the property of the debtor is not likely to exceed in value three hundred pounds, the Court may make an order that the debtor's estate be administered in a summary manner, and thereupon the provisions of this Act shall be subject to the following modifications:

(1.) If the debtor is adjudged bankrupt the official receiver shall be the trustee in the bankruptcy:

(2.) There shall be no committee of inspection, but the official receiver may do with the permission of the Board of Trade all things which may be done by the trustee with the permission of the committee of inspection:

(3.) Such other modifications may be made in the provisions of this Act as may be prescribed by general rules with the view of saving expense and simplifying procedure; but nothing in this section shall permit the modification of the provisions of this Act relating to the examination or discharge of the debtor.

Provided that the creditors may at any time, by special resolution, resolve that some person other than the official receiver be appointed trustee in the bankruptcy, and thereupon the bankruptcy shall proceed as if an order for summary administration had not been made.

Power for county court to make administration order instead of order for payment by instalments.

122. (1.) Where a judgment has been obtained in a county court and the debtor is unable to pay the amount forthwith, and alleges that his whole indebtedness amounts to a sum not exceeding fifty pounds, inclusive of the debt for which the judgment is obtained, the county court may make an order providing for the administration of his estate, and for the payment of his debts by instalments or otherwise, and either in full or to such extent as to the county court under the circumstances of the case appears practicable, and subject to any conditions as to his future earnings or income which the court may think just.

(2.) The order shall not be invalid by reason only that the total amount of the debts is found at any time to exceed fifty pounds, but in such case the county court may, if it thinks fit, set aside the order.

(3.) Where, in the opinion of the county court in which the judgment is obtained, it would be inconvenient that that court should administer the estate, it shall cause a certificate of the judgment to be forwarded to the county court in the district of which the debtor or the majority of the creditors resides or reside, and thereupon the latter county court shall have all the powers which it would have under this section, had the judgment been obtained in it.

(4.) Where it appears to the registrar of the county court that property of the debtor exceeds in value ten pounds, he shall, at the request of any creditor, and without fee, issue execution against the debtor's goods, but the household goods, wearing apparel, and bedding of the debtor or his family, and the tools and implements of his trade to the value in the aggregate of twenty pounds, shall to that extent be protected from seizure.

(5.) When the order is made no creditor shall have any remedy against the person or property of the debtor in respect of any debt which the debtor has notified to a county court, except with the leave of that county court, and on such terms as that court may impose ; and any county court or inferior court in which proceedings are pending against the debtor in respect of any such debt shall, on receiving notice of the order, stay the proceedings, but may allow costs already incurred by the creditor, and such costs may, on application, be added to the debt notified.

(6.) If the debtor makes default in payment of any instalment payable in pursuance of any order under this section, he shall, unless the contrary is proved, be deemed to have had since the date of the order the means to pay the sum in respect of which he has made default and to have refused or neglected to pay the same.

(7.) The order shall be carried into effect in such manner as may be prescribed by general rules.

(8.) Money paid into court under the order shall be appropriated first in satisfaction of the costs of the plaintiff in the action, next in satisfaction of the costs of administration (which shall not exceed two shillings in the pound on the total amount of the debts) and then in liquidation of debts in accordance with the order.

(9.) Notice of the order shall be sent to the registrar of county court judgments, and be posted in the office of the county court of the district in which the debtor resides, and sent to every creditor notified by the debtor, or who has proved.

(10.) Any creditor of the debtor, on proof of his debt before the registrar, shall be entitled to be scheduled as a creditor of the debtor for the amount of his proof.

(11.) Any creditor may in the prescribed manner object to any debt scheduled, or to the manner in which payment is directed to be made by instalments.

(12.) Any person who after the date of the order becomes a creditor of the debtor, shall, on proof of his debt before the registrar, be scheduled as a creditor of the debtor for the amount of his proof, but shall not be entitled to any dividend under the order until those creditors who are scheduled as having been creditors before the date of the order have been paid to the extent provided by the order.

(13.) When the amount received under the order is sufficient to pay each creditor scheduled to the extent thereby provided, and the costs of the plaintiff and of the administration, the order shall be superseded, and the debtor shall be discharged from his debts to the scheduled creditors.

(14.) In computing the salary of a registrar under the County Courts Acts every creditor scheduled, not being a judgment creditor, shall count as a plaint.

PART VIII.

Supplemental Provisions.

Application of Act.

Exclusion of partnerships and companies.

123. A receiving order shall not be made against any corporation, or against any partnership or association, or company registered under the Companies Act, 1862.

Privilege of Parliament.

124. If a person having privilege of Parliament commits an act of bankruptcy, he may be dealt with under this Act in like manner as if he had not such privilege.

Administration in bankruptcy of estate of person dying insolvent.

125. (1.) Any creditor of a deceased debtor whose debt would have been sufficient to support a bankruptcy petition against such debtor, had he been alive, may present to the court a petition in the prescribed form praying for an order for the administration of the estate of the deceased debtor, according to the Law of Bankruptcy.

(2.) Upon the prescribed notice being given to the legal personal representative of the deceased debtor, the court may, in the prescribed manner, upon proof of the petitioner's debt, unless the court is satisfied that there is a reasonable probability that the estate will be sufficient for the payment of the debts owing by the deceased, make an order for the administration in bankruptcy of the deceased debtor's estate, or may upon cause shown dismiss such petition with or without costs.

(3.) An order of administration under this section shall not be made until the expiration of two months from the date of the grant of probate or letters of administration, unless with the concurrence of the legal personal representative of the deceased debtor, or unless the petitioner proves to the satisfaction of the court that the debtor committed an act of bankruptcy within three months prior to his decease.

(4.) A petition for administration under this section shall not be presented to the court after proceedings have been commenced in any court of justice for the administration of the deceased debtor's estate, but that court may in such case, on the application of any creditor, and on proof that the estate is insufficient to pay its debts, transfer the proceedings to the court exercising jurisdiction in bankruptcy, and thereupon such last-mentioned court may, in the prescribed manner, make an order for the administration of the estate of the deceased debtor, and the like consequences shall ensue as under an administration order made on the petition of a creditor.

(5.) Upon an order being made for the administration of a deceased debtor's estate, the property of the debtor shall vest in the official receiver of the court, as trustee thereof, and he shall forthwith proceed to realise and distribute the same in accordance with the provisions of this Act.

(6.) With the modifications herein-after mentioned, all the provisions of Part III. of this Act, relating to the administration of the property of a bankrupt, shall, so far as the same are applicable, apply to the case of an administration order under this section in like manner as to an order of adjudication under this Act.

(7.) In the administration of the property of the deceased debtor under an order of administration, the official receiver shall have regard to any claim by the legal personal representative of the deceased debtor to payment of the proper funeral and testamentary expenses incurred by him in and about the debtor's estate, and such claims shall be deemed a preferential debt under the order, and be payable in full, out of the debtor's estate, in priority to all other debts.

(8.) If, on the administration of a deceased debtor's estate, any surplus remains in the hands of the official receiver, after payment in full of all the debts due from the debtor, together with the costs of the administration and interest as provided by this Act in case of bankruptcy, such surplus shall be paid over to the legal personal representative of the deceased debtor's estate, or dealt with in such other manner as may be prescribed.

(9.) Notice to the legal personal representative of a deceased debtor of the presentation by a creditor of a petition under this section shall, in the event of an order for administration being made thereon, be deemed to be equivalent to notice of an act of bankruptcy, and after such notice no payment or transfer of property made by the legal personal representative shall operate as a discharge to him as between himself and the official receiver; save as aforesaid nothing in this section shall invalidate any payment made or any act or thing done in good faith by the legal personal representative before the date of the order for administration.

(10.) Unless the context otherwise requires, "court," in this section, means the court within the jurisdiction of which the debtor resided or carried on business for the greater part of the six months immediately prior to his decease; "creditor" means one or more creditors qualified to present a bankruptcy petition, as in this Act provided.

(11.) General rules, for carrying into effect the provisions of this section, may be made in the same manner and to the like effect and extent as in bankruptcy.

Saving as to debts contracted before Act of 1861.

126. No person, not being a trader within the meaning of the Bankruptcy Act, 1861, shall be adjudged bankrupt in respect of a debt contracted before the passing of that Act.

General Rules.

Power to make general rules.

127. (1.) The Lord Chancellor may from time to time, with the concurrence of the President of the Board of Trade, make, revoke, and alter general rules for carrying into effect the objects of this Act.

(2.) All general rules made under the foregoing provisions of this section shall be laid before Parliament within three weeks after they are made if Parliament is then sitting, and if Parliament is not then sitting, within three weeks after the beginning of the then next session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act.

(3.) Such general rules as may be required for purposes of this Act may be made at any time after the passing of this Act.

(4.) Provided always, that the said general rules, so made, revoked, or altered, shall not extend the jurisdiction of the court.

(5.) After the commencement of this Act no general rule under the provisions of this section shall come into operation until the expiration of one month after the same has been made and issued.

Fees, Salaries, Expenditure, and Returns.

Fees and remuneration.

128. (1.) The Lord Chancellor may, with the sanction of the Treasury, from time to time prescribe a scale of fees and per centages to be charged for or in respect of proceedings under this Act; and the Treasury shall direct by whom and in what manner the same are to be collected, accounted for, and to what account they shall be paid. The Board of Trade, with the concurrence of the Treasury, shall direct whether any and what remuneration is to be allowed to any officer of, or person attached to, the Board of Trade, performing any duties under this Act, and may from time to time vary, increase, or diminish such remuneration as they may see fit.

(2.) This section shall come into operation on the passing of this Act.

Judicial salaries, &c.

129. (1.) The Lord Chancellor, with the concurrence of the Treasury, shall direct whether any and what remuneration is to be allowed to any person (other than an officer of the Board of Trade) performing any duties under this Act, and may from time to time vary, increase, or diminish such remuneration as he may think fit.

(2.) This section shall come into operation on the passing of this Act.

Annual accounts of receipts and expenditure in respect of bankruptcy proceedings.

130. (1.) The Treasury shall annually cause to be prepared and laid before both Houses of Parliament an account for the year ending with the thirty-first day of March, showing the receipts and expenditure during that year in respect of bankruptcy proceedings, whether commenced under this or any previous Act, and the provisions of section twenty eight of the Supreme Court of Judicature

Act, 1875, shall apply to the account as if the account had been required by that section.

(2.) The accounts of the Board of Trade, under this Act, shall be audited in such manner as the Treasury from time to time direct, and, for the purpose of the account to be laid before Parliament, the Board of Trade shall make such returns, and give such information as the Treasury may from time to time direct.

Returns by bankruptcy officers.

131. The registrars and other officers of the courts acting in bankruptcy shall make to the Board of Trade such returns of the business of their respective courts and offices, at such times and in such manner and form as may be prescribed, and from such returns the Board of Trade shall cause books to be prepared which shall, under the regulations of the Board, be open for public information and searches.

The Board of Trade shall also cause a general annual report of all matters, judicial and financial, within this Act, to be prepared and laid before both Houses of Parliament.

Evidence.

Gazette to be evidence.

132. (1.) A copy of the London Gazette containing any notice inserted therein in pursuance of this Act shall be evidence of the facts stated in the notice.

(2.) The production of a copy of the London Gazette containing any notice of a receiving order, or of an order adjudging a debtor bankrupt, shall be conclusive evidence in all legal proceedings of the order having been duly made, and of its date.

Evidence of proceedings at meetings of creditors.

133. (1.) A minute of proceedings at a meeting of creditors under this Act, signed at the same or the next ensuing meeting, by a person describing himself as, or appearing to be, chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

(2.) Until the contrary is proved, every meeting of creditors in respect of the proceedings whereof a minute has been so signed shall be deemed to have been duly convened and held, and all resolutions passed or proceedings had thereat to have been duly passed or had.

Evidence of proceedings in bankruptcy.

134. Any petition or copy of a petition in bankruptcy, any order or certificate or copy of an order or certificate made by any Court having jurisdiction in bankruptcy, any instrument or copy of an instrument, affidavit, or document made or used in the course of any bankruptcy proceedings, or other proceedings had under this Act, shall, if it appears to be sealed with the seal of any Court having jurisdiction in bankruptcy, or purports to be signed by any judge thereof, or is certified as a true copy by any registrar thereof, be receivable in evidence in all legal proceedings whatever.

Swearing of affidavits.

135. Subject to general rules, any affidavit to be used in a bankruptcy court may be sworn before any person authorised to administer oaths in the High Court, or in the Court of Chancery of the county palatine of Lancaster, or before any registrar of a bankruptcy court, or before any officer of a bankruptcy court authorised in writing on that behalf by the judge of the Court, or, in the case of a person residing in Scotland or in Ireland, before a judge ordinary, magistrate, or justice of the peace, or, in the case of a person who is out of the Kingdom of Great Britain and Ireland, before a magistrate or

justice of the peace or other person qualified to administer oaths in the country where he resides (he being certified to be a magistrate or justice of the peace, or qualified as aforesaid by a British minister or British consul, or by notary public).

Death of witness.

136. In case of the death of the debtor or his wife, or of a witness whose evidence has been received by any Court in any proceeding under this Act, the deposition of the person so deceased, purporting to be sealed with the seal of the Court, or a copy thereof purporting to be so sealed, shall be admitted as evidence of the matters therein deposed to.

Bankruptcy Courts to have seals.

137. Every Court having jurisdiction in bankruptcy under this Act shall have a seal describing the Court in such manner as may be directed by order of the Lord Chancellor, and judicial notice shall be taken of the seal, and of the signature of the judge or registrar of any such Court, in all legal proceedings.

Certificate of appointment of trustee.

138. A certificate of the Board of Trade that a person has been appointed trustee under this Act, shall be conclusive evidence of his appointment.

Appeal from Board of Trade to High Court.

139. Where by this Act an appeal to the High Court is given against any decision of the Board of Trade, or of the official receiver, the appeal shall be brought within twenty-one days from the time when the decision appealed against is pronounced or made.

Proceedings of Board of Trade.

140. (1.) All documents purporting to be orders or certificates made or issued by the Board of Trade, and to be sealed with the seal of the Board, or to be signed by a secretary or assistant secretary of the Board, or any person authorised in that behalf by the President of the Board, shall be received in evidence, and deemed to be such orders or certificates without further proof unless the contrary is shown.

(2.) A certificate signed by the President of the Board of Trade that any order made, certificate issued, or act done, is the order, certificate, or act of the Board of Trade shall be conclusive evidence of the fact so certified.

Time.

Computation of time.

141. (1.) Where by this Act any limited time from or after any date or event is appointed or allowed for the doing of any act or the taking of any proceeding, then in the computation of that limited time the same shall be taken as exclusive of the day of that date or of the happening of that event, and as commencing at the beginning of the next following day; and the act or proceeding shall be done or taken at latest on the last day of that limited time as so computed, unless the last day is a Sunday, Christmas Day Good Friday, or Monday or Tuesday in Easter Week, or a day appointed for public fast, humiliation, or thanksgiving, or a day on which the Court does not sit, in which case any act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards, which shall not be one of the days in this section specified.

(2.) Where by this Act any act or proceeding is directed to be done or taken on a certain day, then if that day happens to be one of the days in this section specified, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the

next day afterwards, which shall not be one of the days in this section specified.

Notices.

Service of notices.

142. All notices and other documents for the service of which no special mode is directed may be sent by prepaid post letter to the last known address of the person to be served therewith.

Formal Defects.

Formal defect not to invalidate proceedings.

143. (1.) No proceeding in bankruptcy shall be invalidated by any formal defect or by any irregularity, unless the court before which an objection is made to the proceeding is of opinion that substantial injustice has been caused by the defect or irregularity, and that the injustice cannot be remedied by any order of that court.

(2.) No defect or irregularity in the appointment or election of a receiver, trustee, or member of a committee of inspection shall vitiate any act done by him in good faith.

Stamp Duty.

Exemption of deeds, &c. from stamp duty.

144. Every deed, conveyance, assignment, surrender, admission, or other assurance relating solely to freehold, leasehold, copyhold, or customary property, or to any mortgage, charge, or other incumbrance on, or any estate, right, or interest in any real or personal property which is part of the estate of any bankrupt, and which, after the execution of the deed, conveyance, assignment, surrender, admission, or other assurance, either at law or in equity, is or remains the estate of the bankrupt or of the trustee under the bankruptcy, and every power of attorney, proxy paper, writ, order, certificate, affidavit, bond, or other instrument or writing relating solely to the property of any bankrupt, or to any proceeding under any bankruptcy, shall be exempt from stamp duty, except in respect of fees under this Act.

Executions.

Sales under executions to be public.

145. Where the sheriff sells the goods of a debtor under an execution for a sum exceeding twenty pounds (including legal incidental expenses), the sale shall, unless the court from which the process issued otherwise orders, be made by public auction, and not by bill of sale or private contract, and shall be publicly advertised by the sheriff on and during three days next preceding the day of sale.

Writ of elegit not to extend to goods.

146. (1.) The sheriff shall not under a writ of elegit deliver the goods of a debtor nor shall a writ of elegit extend to goods.

(2.) No writ of levari facias shall hereafter be issued in any civil proceeding.

Bankrupt Trustee.

Application of Trustee Act to bankruptcy of trustee.

147. Where a bankrupt is a trustee within the Trustee Act, 1850, section thirty-two of that Act shall have effect so as to authorise the appointment of a new trustee in substitution for the bankrupt (whether voluntarily resigning or not), if it appears expedient to do so, and all provisions of that Act, and of any other Act relative thereto, shall have effect accordingly.

Corporations, &c.

Acting of corporations, partners, &c.

148. For all or any of the purposes of this Act a corporation may act by any of its officers authorised in that behalf under the seal of

the corporation, a firm may act by any of its members, and a lunatic may act by his committee or curator bonis.

Construction of former Acts, &c.

Construction of Acts mentioning commission of bankruptcy, &c.

149. (1.) Where in any Act of Parliament, instrument, or proceeding passed, executed, or taken before the commencement of this Act mention is made of a commission of bankruptcy or fiat in bankruptcy, the same shall be construed, with reference to the proceedings under a bankruptcy petition, as if a commission of or a fiat in bankruptcy had been actually issued at the time of the presentation of such petition.

(2.) Where by any Act or instrument, reference is made to the Bankruptcy Act, 1869, the Act or instrument shall be construed and have effect as if reference were made therein to the corresponding provisions of this Act.

Certain provisions to bind the Crown.

150. Save as herein provided the provisions of this Act relating to the remedies against the property of a debtor, the priorities of debts, the effect of a composition or scheme of arrangement, and the effect of a discharge shall bind the Crown.

Saving for existing rights of audience.

151. Nothing in this Act, or in any transfer of jurisdiction effected thereby shall take away or affect any right of audience that any person may have had at the commencement of this Act, and all solicitors or other persons who had the right of audience before the Chief Judge in Bankruptcy shall have the like right of audience in bankruptcy matters in the High Court.

Married women.

152. Nothing in this Act shall affect the provisions of the Married Women's Property Act, 1882.

Transitory Provisions.

Comptroller of bankruptcy, &c. and their staff.

153. (1.) The existing comptroller in bankruptcy and his officers, clerks, and servants shall not be attached to the Supreme Court, but shall in all respects act under the directions of the Board of Trade.

(2.) The existing official assignee, provisional and official assignee of the estates and effects of insolvent debtors, and receiver of the Insolvent Debtors' Court, together with his staff, the official solicitors and the messenger in bankruptcy, together with his staff, and the accountant in bankruptcy and his staff, and also such other officers and clerks of the London Bankruptcy Court as the Lord Chancellor, with the concurrence of the Board of Trade, may at any time select, shall be transferred to and become officers of the Board of Trade; provided that the Board of Trade, with the concurrence of the Lord Chancellor, may at any time transfer any such officer or clerk from the Board of Trade to the Supreme Court.

(3.) Subject to the provisions of this Act they shall hold their offices by the same tenure and on the same terms and conditions, and be entitled to the same rights in respect of salary and pension as heretofore, and their duties shall, except so far as altered with their own consent, be such as in the opinion of the Board of Trade are analogous to those performed by them at the commencement of this Act.

(4.) On the occurrence, at any time after the passing of this Act, of any vacancy in the office of any of the said persons the Board of Trade may, with the approval of the Treasury, make such arrange-

ment as they think fit, either for the abolition of the office, or for its continuance under modified conditions, and may appoint a fit person to perform the remaining duties thereof, and the person so appointed shall have all the powers and authorities of the person who is at the passing of this Act the holder of such office; and all estates, rights, and effects vested at the time of the vacancy in any such officer shall by virtue of such appointment become vested in the person so appointed, and the like appointment on a vacancy shall be made, and the like vesting shall have effect from time to time as occasion requires: Provided that any person so appointed shall be an officer of the Board of Trade, and shall in all respects act under the directions of the Board of Trade.

(5.) The Board of Trade may, with the approval of the Lord Chancellor, from time to time direct that any duties or functions, not of a judicial character, relating to any bankruptcies, insolvencies, or other proceedings under any Act prior to the Bankruptcy Act, 1869, which were, at the time of the passing of this Act, performed or exercised by registrars of county courts, shall devolve on and be performed by the official receiver, and thereupon all powers and authorities of the registrar, and all estates, rights, and effects vested in the registrar shall become vested in the official receiver.

Power to abolish existing offices.

154. (1.) If the Lord Chancellor is of opinion that any office attached to the London Bankruptcy Court at the passing of this Act is unnecessary, he may, with the concurrence of the Treasury, at any time after the passing of this Act, abolish the office.

(2.) The Treasury may, on the petition of any person whose office or employment is abolished by or under this Act, on the commencement of this Act or on any other event, inquire whether any, and if any, what compensation ought to be made to the petitioner, regard being had to the conditions on which his appointment was made, the nature of his office or employment, and the duration of his service; and if they think that his claim to compensation is established, may award to him, out of moneys to be provided by Parliament, such compensation, by annuity or otherwise, as under the circumstances of the case they think just and reasonable.

(3.) The Board of Trade may, under the like conditions and on the like terms, abolish any of the offices in the last preceding section mentioned.

Performance of new duties by persons whose offices are abolished.

155. (1.) The Lord Chancellor or Board of Trade may, at any time after the passing of this Act appoint any person whose office is abolished under this Act to some other office under this Act, the duties of which he is in the opinion of the Lord Chancellor or Board competent to perform. Provided that the person so appointed shall during his tenure of the new office receive an amount of annual remuneration which, together with the compensation for the loss of the abolished office, is not less than the emoluments of the abolished office.

(2.) When, after the commencement of this Act, any officer is continued in the performance of any duties relating to bankruptcy or insolvency, under any previous Act, the Lord Chancellor, or, as the case may be, the Board of Trade may order that such officer may, in addition to such duties, perform any analogous duties

under this Act, without being entitled to receive any additional remuneration.

Selection of persons from holders of abolished offices.

156. Every person appointed to any office or employment under this Act shall in the first instance be selected from the persons (if any) whose office or employment is abolished under this Act, unless in the opinion of the Lord Chancellor, or in the case of persons to be appointed by the Board of Trade, of that Board, none of such persons are fit for such office or employment: Provided that the person so appointed or employed shall during his tenure of the new office be entitled to receive an amount of remuneration which, together with the compensation (if any) for loss of the abolished office, shall be not less than the emolument of the abolished office.

Acceptance of public employment by annuitants.

157. If any person to whom a compensation annuity is granted under this Act accepts any public employment, he shall, during the continuance of that employment, receive only so much (if any) of that annuity as, with the remuneration of that employment, will amount to a sum not exceeding the salary or emoluments in respect of the loss whereof the annuity was awarded, and if the remuneration of that employment is equal to or greater than such salary or emoluments the annuity shall be suspended so long as he receives that remuneration.

Superannuation of registrars, &c.

158. The registrars, clerks, and other persons holding their offices at the passing of this Act who may be continued in their offices, shall, on their retirement therefrom, be allowed such superannuation as they would have been entitled to receive if this Act had not been passed, and they had continued in their offices under the existing Acts.

Transfer of estates on vacancy of office of trustee in liquidation under the Bankruptcy Act, 1869.

159. In every liquidation by arrangement under the Bankruptcy Act, 1869, pending at the commencement of this Act, if at any time after the commencement of this Act there is no trustee acting in the liquidation by reason of death, or for any other cause, such of the official receivers of bankrupts estates as is appointed by the Board of Trade for that purpose shall become and be the trustee in the liquidation, and the property of the liquidating debtor shall pass to and vest in him accordingly; but this provision shall not prejudice the right of the creditors in the liquidation to appoint a new trustee, in manner directed by the Bankruptcy Act, 1869, or the rules thereunder; and on such appointment the property of the liquidating debtor shall pass to and vest in the new trustee.

The provisions of this Act with respect to the duties and responsibilities of and accounting by a trustee in a bankruptcy under this Act shall apply, as nearly as may be, to a trustee acting under the provisions of this section.

Transfer of outstanding property on close of bankruptcy or liquidation.

160. Where a bankruptcy or liquidation by arrangement under the Bankruptcy Act, 1869, has been or is hereafter closed, any property of the bankrupt or liquidating debtor which vested in the trustee and has not been realised or distributed shall vest in such person as may be appointed by the Board of Trade for that purpose, and he shall thereupon proceed to get in, realise, and distribute the property in like manner and with and subject to the like powers and obligations as far as applicable, as if the bankruptcy or liquidation were continuing, and he were acting as trustee thereunder.

Transfer of estates from registrars of London Court to official receiver.

161. In every bankruptcy under the Bankruptcy Act, 1869, pending at the commencement of this Act, where a registrar of the London Bankruptcy Court or of any county court is or would hereafter but for this enactment become the trustee under the bankruptcy, such of the official receivers of bankrupts estates as may be appointed by the Board of Trade for that purpose shall from and after the commencement of this Act be the trustee in the place of the registrar, and the property of the bankrupt shall pass to and vest in the official receiver accordingly.

Unclaimed Funds or Dividends.

Unclaimed and undistributed dividends or funds under this and former Acts.

162. (1.) Where the trustee, under any bankruptcy, composition or scheme pursuant to this Act, shall have under his control any unclaimed dividend which has remained unclaimed for more than six months, or where, after making a final dividend, such trustee shall have in his hands or under his control any unclaimed or undistributed moneys arising from the property of the debtor, he shall forthwith pay the same to the Bankruptcy Estates Account at the Bank of England. The Board of Trade shall furnish him with a certificate of receipt of the money so paid, which shall be an effectual discharge to him in respect thereof.

(2.) (*a.*) Where, after the passing of this Act, any unclaimed or undistributed funds or dividends in the hands or under the control of any trustee or other person empowered to collect, receive, or distribute any funds or dividends under any Act of Parliament mentioned in the Fourth Schedule, or any petition, resolution, deed, or other proceeding under or in pursuance of any such Act, have remained or remain unclaimed or undistributed for six months after the same became claimable or distributable, or in any other case for two years after the receipt thereof by such trustee or other person, it shall be the duty of such trustee or other person forthwith to pay the same to the Bankruptcy Estates Account at the Bank of England. The Board of Trade shall furnish such trustee or other person with a certificate of receipt of the money so paid, which shall be an effectual discharge to him in respect thereof.

(*b.*) The Board of Trade may at any time order any such trustee or other person to submit to them an account verified by affidavit of the sums received and paid by him under or in pursuance of any such petition, resolution, deed, or other proceeding as aforesaid, and may direct and enforce an audit of the account.

(*c.*) The Board of Trade, with the concurrence of the Treasury, may from time to time appoint a person to collect and get in all such unclaimed or undistributed funds or dividends, and for the purposes of this section any court having jurisdiction in bankruptcy shall have and at the instance of the person so appointed, or of the Board of Trade, may exercise all the powers conferred by this Act with respect to the discovery and realisation of the property of a debtor, and the provisions of Part I. of this Act with respect thereto shall, with any necessary modifications, apply to proceedings under this section.

(3.) The provisions of this section shall not, except as expressly declared herein, deprive any person of any larger or other right or remedy to which he may be entitled against such trustee or other person.

(4.) Any person claiming to be entitled to any moneys paid in to the Bankruptcy Estates Account pursuant to this section may apply to the Board of Trade for payment to him of the same, and the Board of Trade, if satisfied that the person claiming is entitled, shall make an order for the payment to such person of the sum due.

Any person dissatisfied with the decision of the Board of Trade in respect of his claim may appeal to the High Court.

(5.) The Board of Trade may at any time after the passing of this Act open the account at the Bank of England referred to in this Act as the Bankruptcy Estates Account.

Punishment of Fraudulent Debtors.

Extension of penal provisions of 32 & 33 Vict. c. 62. to petitioning debtors, &c.

163. (1.) Sections eleven and twelve of the Debtors Act, 1869, relating to the punishment of fraudulent debtors and imposing a penalty for absconding with property, shall have effect as if there were substituted therein for the words "if after the presentation of "a bankruptcy petition against him," the words, "if after the "presentation of a bankruptcy petition by or against him."

(2.) The provisions of the Debtors Act, 1869, as to offences by bankrupts shall apply to any person whether a trader or not in respect of whose estate a receiving order has been made as if the term "bankrupt" in that Act included a person in respect of whose estate a receiving order had been made.

Power for Court to order prosecution on report of official receiver.

164. Section sixteen of the Debtors Act, 1869, shall be construed and have effect as if the term "a trustee in any bankruptcy" included the official receiver of a bankrupt's estate, and shall apply to offences under this Act as well as to offences under the Debtors Act, 1869.

Power for Court to commit for trial.

165. (1.) Where there is, in the opinion of the Court, ground to believe that the bankrupt or any other person has been guilty of any offence which is by statute made a misdemeanor in cases of bankruptcy, the Court may commit the bankrupt or such other person for trial.

(2.) For the purpose of committing the bankrupt or such other person for trial the Court shall have all the powers of a stipendiary magistrate as to taking depositions, binding over witnesses to appear, admitting the accused to bail, or otherwise.

Nothing in this sub-section shall be construed as derogating from the powers or jurisdiction of the High Court.

Public Prosecutor to act in certain cases.

166. Where the Court orders the prosecution of any person for any offence under the Debtors Act, 1869, or Acts amending it, or for any offence arising out of or connected with any bankruptcy proceedings, it shall be the duty of the Director of Public Prosecutions to institute and carry on the prosecution.

Criminal liability after discharge or composition.

167. Where a debtor has been guilty of any criminal offence he shall not be exempt from being proceeded against therefor by reason that he has obtained his discharge or that a composition or scheme of arrangement has been accepted or approved.

Interpretation.

Interpretation of terms.

168. (1.) In this Act, unless the context otherwise requires—

"The Court" means the Court having jurisdiction in bankruptcy under this Act:

"Affidavit" includes statutory declarations, affirmations, and attestations on honour:

"Available act of bankruptcy" means any act of bankruptcy available for a bankruptcy petition at the date of the presentation of the petition on which the receiving order is made:

"Debt provable in bankruptcy" or "provable debt" includes any debt or liability by this Act made provable in bankruptcy:

"Gazetted" means published in the London Gazette:

"General rules" include forms:

"Goods" includes all chattels personal:

"High Court" means Her Majesty's High Court of Justice:

"Local bank" means any bank in or in the neighbourhood of the bankruptcy district in which the proceedings are taken:

"Oath" includes affirmation, statutory declaration, and attestation on honour:

"Ordinary resolution" means a resolution decided by a majority in value of the creditors present, personally or by proxy, at a meeting of creditors and voting on the resolution:

"Person" includes a body of persons corporate or unincorporate:

"Prescribed" means prescribed by general rules within the meaning of this Act:

"Property" includes money, goods, things in action, land, and every description of property, whether real or personal and whether situate in England or elsewhere; also, obligations, easements, and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as above defined:

"Resolution" means ordinary resolution:

"Secured creditor" means a person holding a mortgage charge or lien on the property of the debtor, or any part thereof, as a security for a debt due to him from the debtor:

"Schedule" means schedule to this Act:

"Sheriff" includes any officer charged with the execution of a writ or other process:

"Special resolution" means a resolution decided by a majority in number and three fourths in value of the creditors present, personally or by proxy, at a meeting of creditors and voting on the resolution:

"Treasury" means the Commissioners of Her Majesty's Treasury:

"Trustee" means the trustee in bankruptcy of a debtor's estate.

(2.) The schedules to this Act shall be construed and have effect as part of this Act.

Repeal.

Repeal of enactments.

169. (1.) The enactments described in the Fifth Schedule are hereby repealed as from the commencement of this Act to the extent mentioned in that Schedule.

(2.) The repeal effected by this Act shall not affect—

(*a.*) anything done or suffered before the commencement of this Act under any enactment repealed by this Act; nor

(*b.*) any right or privilege acquired, or duty imposed, or liability or disqualification incurred, under any enactment so repealed; nor

(*c.*) any fine, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed or to be committed against any enactment so repealed; nor

(*d.*) the institution or continuance of any proceeding or other remedy, whether under any enactment so repealed, or otherwise, for ascertaining any such liability or disqualification, or enforcing or recovering any such fine, forfeiture, or punishment, as aforesaid.

(3.) Notwithstanding the repeal effected by this Act, the proceedings under any bankruptcy petition, liquidation by arrangement, or composition with creditors under the Bankruptcy Act, 1869, pending at the commencement of this Act shall, except so far as any provision of this Act is expressly applied to pending proceedings, continue, and all the provisions of the Bankruptcy Act, 1869, shall, except as aforesaid, apply thereto, as if this Act had not passed.

Proceedings under 32 & 33 Vict. c. 71. ss. 125, 126.

170. After the passing of this Act no composition or liquidation by arrangement under sections 125 and 126 of the Bankruptcy Act, 1869, shall be entered into or allowed without the sanction of the court or registrar having jurisdiction in the matter; such sanction shall not be granted unless the composition or liquidation appears to the court or registrar to be reasonable and calculated to benefit the general body of creditors.

SCHEDULES.

THE FIRST SCHEDULE.

Section 15.

Meetings of Creditors.

1. The first meeting of creditors shall be summoned for a day not later than fourteen days after the date of the receiving order, unless the Court for any special reason deem it expedient that the meeting be summoned for a later day.

2. The official receiver shall summon the meeting by giving not less than seven days notice of the time and place thereof in the London Gazette and in a local paper.

3. The official receiver shall also, as soon as practicable, send to each creditor mentioned in the debtor's statement of affairs, a notice of the time and place of the first meeting of creditors, accompanied by a summary of the debtor's statement of affairs, including the causes of his failure, and any observations thereon which the official receiver may think fit to make; but the proceedings at the first meeting shall not be invalidated by reason of any such notice or summary not having been sent or received before the meeting.

4. The meeting shall be held at such place as is in the opinion of the official receiver most convenient for the majority of the creditors.

5. The official receiver or the trustee may at any time summon a meeting of creditors, and shall do so whenever so directed by the Court, or so requested in writing by one fourth in value of the creditors.

6. Meetings subsequent to the first meeting shall be summoned by sending notice of the time and place thereof to each creditor at the address given in his proof, or if he has not proved, at the address given in the debtor's statement of affairs, or at such other address as may be known to the person summoning the meeting.

7. The official receiver, or some person nominated by him, shall be the chairman at the first meeting. The chairman at subsequent meetings shall be such person as the meeting by resolution appoint.

8. A person shall not be entitled to vote as a creditor at the first or any other meeting of creditors unless he has duly proved a debt provable in bankruptcy to be due to him from the debtor, and the proof has been duly lodged before the time appointed for the meeting.

9. A creditor shall not vote at any such meeting in respect of any unliquidated or contingent debt, or any debt the value of which is not ascertained.

10. For the purpose of voting, a secured creditor shall, unless he surrenders his security, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to vote only in respect of the balance (if any) due to him, after deducting the value of his security. If he votes in respect of his whole debt he shall be deemed to have surrendered his security unless the Court on application is satisfied that the omission to value the security has arisen from inadvertence.

11. A creditor shall not vote in respect of any debt on or secured by a current bill of exchange or promissory note held by him, unless he is willing to treat the liability to him thereon of every person who is liable thereon antecedently to the debtor, and against whom a receiving order has not been made, as a security in his hands, and to estimate the value thereof, and for the purposes of voting, but not for the purposes of dividend, to deduct it from his proof.

12. It shall be competent to the trustee or to the official receiver, within twenty-eight days after a proof estimating the value of a security as aforesaid has been made use of in voting at any meeting, to require the creditor to give up the security for the benefit of the creditors generally on payment of the value so estimated, with an addition thereto of twenty per centum. Provided, that where a creditor has put a value on such security, he may, at any time before he has been required to give up such security as aforesaid, correct such valuation by a new proof, and deduct such new value from his debt, but in that case such addition of twenty per centum shall not be made if the trustee requires the security to be given up.

13. If a receiving order is made against one partner of a firm, any creditor to whom that partner is indebted jointly with the other partners of the firm, or any of them, may prove his debt for the purpose of voting at any meeting of creditors, and shall be entitled to vote thereat.

14. The chairman of a meeting shall have power to admit or reject a proof for the purpose of voting, but his decision shall be subject to appeal to the Court. If he is in doubt whether the proof of a creditor should be admitted or rejected he shall mark the proof as objected to and shall allow the creditor to vote, subject to the vote being declared invalid in the event of the objection being sustained.

15. A creditor may vote either in person or by proxy.

16. Every instrument of proxy shall be in the prescribed form, and shall be issued by the official receiver, or, after the appointment of a trustee, by the trustee, and every insertion therein shall be in the handwriting of the person giving the proxy.

17. A creditor may give a general proxy to his manager or clerk, or any other person in his regular employment. In such case the instrument of proxy shall state the relation in which the person to act thereunder stands to the creditor.

18. A creditor may give a special proxy to any person to vote at any specified meeting, or adjournment thereof, for or against any specific resolution, or for or against any specified person as trustee, or member of a committee of inspection.

19. A proxy shall not be used unless it is deposited with the official receiver or trustee before the meeting at which it is to be used.

20. Where it appears to the satisfaction of the Court that any solicitation has been used by or on behalf of a trustee or receiver in obtaining proxies,

or in procuring the trusteeship or receivership, except by the direction of a meeting of creditors, the Court shall have power, if it think fit, to order that no remuneration shall be allowed to the person by whom or on whose behalf such solicitation may have been exercised, notwithstanding any resolution of the committee of inspection or of the creditors to the contrary.

21. A creditor may appoint the official receiver of the debtor's estate to act in manner prescribed as his general or special proxy.

22. The chairman of a meeting may, with the consent of the meeting, adjourn the meeting from time to time, and from place to place.

23. A meeting shall not be competent to act for any purpose, except the election of a chairman, the proving of debts, and the adjournment of the meeting, unless there are present, or represented thereat, at least three creditors, or all the creditors if their number does not exceed three.

24. If within half an hour from the time appointed for the meeting a quorum of creditors is not present or represented, the meeting shall be adjourned to the same day in the following week at the same time and place, or to such other day as the chairman may appoint, not being less than seven or more than twenty-one days.

25. The chairman of every meeting shall cause minutes of the proceedings at the meeting to be drawn up, and fairly entered in a book kept for that purpose, and the minutes shall be signed by him or by the chairman of the next ensuing meeting.

26. No person acting either under a general or special proxy shall vote in favour of any resolution which would directly or indirectly place himself, his partner or employer, in a position to receive any remuneration out of the estate of the debtor otherwise than as a creditor rateably with the other creditors of the debtor. Provided that where any person holds special proxies to vote for the appointment of himself as trustee he may use the said proxies and vote accordingly.

THE SECOND SCHEDULE.

Section 39.

Proof of Debts.

Proof in ordinary cases.

1. Every creditor shall prove his debt as soon as may be after the making of a receiving order.

2. A debt may be proved by delivering or sending through the post in a prepaid letter to the official receiver, or, if a trustee has been appointed, to the trustee, an affidavit verifying the debt.

3. The affidavit may be made by the creditor himself, or by some person authorised by or on behalf of the creditor. If made by a person so authorised it shall state his authority and means of knowledge.

4. The affidavit shall contain or refer to a statement of account showing the particulars of the debt, and shall specify the vouchers, if any, by which the same can be substantiated. The official receiver or trustee may at any time call for the production of the vouchers.

5. The affidavit shall state whether the creditor is or is not a secured creditor.

6. A creditor shall bear the cost of proving his debt, unless the Court otherwise specially orders.

7. Every creditor who has lodged a proof shall be entitled to see and examine the proofs of other creditors before the first meeting, and at all reasonable times.

8. A creditor proving his debt shall deduct therefrom all trade discounts, but he shall not be compelled to deduct any discount, not exceeding five per centum on the net amount of his claim, which he may have agreed to allow for payment in cash.

Proof by secured Creditors.

9. If a secured creditor realises his security, he may prove for the balance due to him, after deducting the net amount realised.

10. If a secured creditor surrenders his security to the official receiver or trustee for the general benefit of the creditors, he may prove for his whole debt.

11. If a secured creditor does not either realise or surrender his security, he shall, before ranking for dividend, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to receive a dividend only in respect of the balance due to him after deducting the value so assessed.

12. (*a.*) Where a security is so valued the trustee may at any time redeem it on payment to the creditor of the assessed value.

(*b.*) If the trustee is dissatisfied with the value at which a security is assessed, he may require that the property comprised in any security so valued be offered for sale at such times and on such terms and conditions as may be agreed on between the creditor and the trustee, or as, in default of such agreement, the Court may direct. If the sale be by public auction the creditor, or the trustee on behalf of the estate, may bid or purchase.

(*c.*) Provided that the creditor may at any time, by notice in writing, require the trustee to elect whether he will or will not exercise his power of redeeming the security or requiring it to be realised, and if the trustee does not, within six months after receiving the notice, signify in writing to the creditor his election to exercise the power, he shall not be entitled to exercise it; and the equity of redemption, or any other interest in the property comprised in the security which is vested in the trustee, shall vest in the creditor, and the amount of his debt shall be reduced by the amount at which the security has been valued.

13. Where a creditor has so valued his security, he may at any time amend the valuation and proof on showing to the satisfaction of the trustee, or the Court, that the valuation and proof were made bonâ fide on a mistaken estimate, or that the security has diminished or increased in value since its previous valuation; but every such amendment shall be made at the cost of the creditor, and upon such terms as the Court shall order, unless the trustee shall allow the amendment without application to the Court.

14. Where a valuation has been amended in accordance with the foregoing rule, the creditor shall forthwith repay any surplus dividend which he may have received in excess of that to which he would have been entitled on the amended valuation, or, as the case may be, shall be entitled to be paid out of any money for the time being available for dividend any dividend or share of dividend which he may have failed to receive by reason of the inaccuracy of the original valuation, before that money is made applicable to the payment of any future dividend, but he shall not be entitled to disturb the distribution of any dividend declared before the date of the amendment.

15. If a creditor after having valued his security subsequently realises it, or if it is realised under the provisions of Rule 12, the net amount realised shall be substituted for the amount of any valuation previously made by the creditor, and shall be treated in all respects as an amended valuation made by the creditor.

16. If a secured creditor does not comply with the foregoing rules he shall be excluded from all share in any dividend.

17. Subject to the provisions of Rule 12, a creditor shall in no case receive more than twenty shillings in the pound, and interest as provided by this Act.

Proof in respect of Distinct Contracts.

18. If a debtor was at the date of the receiving order liable in respect of distinct contracts as a member of two or more distinct firms, or as a sole contractor, and also as member of a firm, the circumstance that the firms are in whole or in part composed of the same individuals, or that the sole contractor is also one of the joint contractors, shall not prevent proof in respect of the contracts, against the properties respectively liable on the contracts.

Periodical Payments.

19. When any rent or other payment falls due at stated periods, and the receiving order is made at any time other than one of those periods, the person entitled to the rent or payment may prove for a proportionate part thereof up to the date of the order as if the rent or payment grew due from day to day.

Interest.

20. On any debt or sum certain, payable at a certain time or otherwise, whereon interest is not reserved or agreed for, and which is overdue at the date of the receiving order and provable in bankruptcy, the creditor may prove for interest at a rate not exceeding four per centum per annum to the date of the order from the time when the debt or sum was payable, if the debt or sum is payable by virtue of a written instrument at a certain time, and if payable otherwise, then from the time when a demand in writing has been made giving the debtor notice that interest will be claimed from the date of the demand until the time of payment.

Debt payable at a future time.

21. A creditor may prove for a debt not payable when the debtor committed an act of bankruptcy as if it were payable presently, and may receive dividends equally with the other creditors, deducting only thereout a rebate of interest at the rate of five pounds per centum per annum computed from the declaration of a dividend to the time when the debt would have become payable, according to the terms on which it was contracted.

Admission or Rejection of Proofs.

22. The trustee shall examine every proof and the grounds of the debt, and in writing admit or reject it, in whole or in part, or require further evidence in support of it. If he rejects a proof he shall state in writing to the creditor the grounds of the rejection.

23. If the trustee thinks that a proof has been improperly admitted, the Court may, on the application of the trustee, after notice to the creditor who made the proof, expunge the proof or reduce its amount.

24. If a creditor is dissatisfied with the decision of the trustee in respect of a proof, the Court may, on the application of the creditor, reverse or vary the decision.

25. The Court may also expunge or reduce a proof upon the application of a creditor if the trustee declines to interfere in the matter, or, in the case of a composition or scheme, upon the application of the debtor.

26. For the purpose of any of his duties in relation to proofs, the trustee may administer oaths and take affidavits.

27. The official receiver, before the appointment of a trustee, shall have all the powers of a trustee with respect to the examination, admission, and rejection of proofs, and any act or decision of his in relation thereto shall be subject to the like appeal.

Section 96.

THE THIRD SCHEDULE.

LIST OF METROPOLITAN COUNTY COURTS.

The Bloomsbury County Court of Middlesex.
The Bow County Court of Middlesex.
The Brompton County Court of Middlesex.
The Clerkenwell County Court of Middlesex.
The Lambeth County Court of Surrey.
The Marylebone County Court of Middlesex.
The Shoreditch County Court of Middlesex.
The Southwark County Court of Surrey.
The Westminster County Court of Middlesex.
The Whitechapel County Court of Middlesex.

Section 162.

THE FOURTH SCHEDULE.

STATUTES RELATING TO UNCLAIMED DIVIDENDS.

Session and Chapter.	Title of Act.
7 & 8 Vict. c. 70 - -	An Act for facilitating arrangements between debtors and creditors.
12 & 13 Vict. c. 106 - -	The Bankruptcy Law Consolidation Act, 1849.
24 & 25 Vict. c. 134 - -	The Bankruptcy Act, 1861.
32 & 33 Vict. c. 71 - -	The Bankruptcy Act, 1869.

Section 169.

THE FIFTH SCHEDULE.

ENACTMENTS REPEALED AS TO ENGLAND.

13 Edw. 1 c. 18. in part.	The statutes of Westminster the Second, chapter eighteen Execution either by levying of the lands and goods, or by delivery of goods and half the land; at the choice of the creditor; in part; namely, the words "all the chattels of the debtor saving only his oxen and beasts of the plough, and"
32 & 33 Vict. c. 62. in part.	The Debtor's Act, 1869. in part; namely, Sub-section (*b*) of section five, and Sections twenty-one and twenty-two.
32 & 33 Vict. c. 71.	The Bankruptcy Act, 1869.
32 & 33 Vict. c. 83. in part.	The Bankruptcy Repeal and Insolvent Court Act, 1869. in part; namely, Section nineteen.
33 & 34 Vict. c. 76.	The Absconding Debtors Act, 1870.
34 & 35 Vict. c. 50.	The Bankruptcy Disqualification Act, 1871. Except sections six, seven, and eight.
38 & 39 Vict. c. 77. in part.	The Supreme Court of Judicature Act, 1875. in part; namely, Sections nine and thirty-two.

CHAPTER 53.

An Act to amend the Law relating to certain Factories and Workshops. [25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Factory and Workshop Act, 1883.

White Lead Factories.

Certificate of conformity with Act.

2. After the thirty-first day of December one thousand eight hundred and eighty-three it shall not be lawful to carry on a white lead factory unless such factory is certified by an inspector to be in conformity with this Act.

Conditions of certificate.

3. (1.) A white lead factory shall not be certified to be in conformity with this Act unless the scheduled conditions, that is to say, the conditions specified in the schedule to this Act, as amended by any order of a Secretary of State under this section, and including any conditions added by any such order, have been complied with.

(2.) A Secretary of State may at any time, by writing under his hand, revoke, alter, add to, or modify all or any of the conditions specified in the schedule to this Act.

Grant of certificate on compliance with conditions.

4. Within a reasonable time after written application in that behalf, addressed to the chief inspector of factories by the occupier of any white lead factory, such factory shall be inspected by an inspector, and if he finds that the scheduled conditions have been complied with he shall certify to a Secretary of State that the factory is in conformity with this Act; and a copy of the certificate, signed by the inspector, shall be forthwith given to the occupier.

Withdrawal of certificate.

5. If at any time after a white lead factory has been certified to be in conformity with this Act it appears to an inspector that the factory is not kept in conformity with this Act, he shall forthwith give notice to the occupier specifying in what respects default is made; and unless the default is within a reasonable time after the notice remedied to the satisfaction of an inspector, a Secretary of State may, if he sees fit, withdraw the certificate until the default is remedied.

Penalty on carrying on factory without certificate.

6. The occupier of a white lead factory which after the thirty-first day of December one thousand eight hundred and eighty-three is carried on without a certificate under this Act shall, for every day during which it is so carried on, be liable on summary conviction to a fine not exceeding two pounds.

Special rules for every white lead factory.

7. (1.) There shall be established not later than the first day of January one thousand eight hundred and eighty-four, in every white lead factory, such special rules for the guidance of the persons employed therein as may appear best calculated to enforce the use by them of the requirements provided under this Act, and generally to prevent injury to health in the course of their employment.

(2.) Such special rules when established shall be observed in and about the factory as if they were enacted in this Act.

(3.) If any person who is bound to observe the special rules established for any white lead factory acts in contravention of or

fails to comply with any of such special rules he shall be liable on summary conviction to a fine not exceeding two pounds; and the occupier of such factory shall also be liable on summary conviction to a fine not exceeding five pounds, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the said rules, to prevent such contravention or non-compliance.

Framing and approval of new special rules.

8. (1.) The occupier of every white lead factory shall frame and transmit to the chief inspector, for approval by a Secretary of State, special rules for such factory within three months after the passing of this Act, or within three months after the opening for work of any white lead factory not opened for work before the passing of this Act.

(2.) The proposed special rules, together with a printed notice specifying that any objection to such rules on the ground of anything contained therein or omitted therefrom may be sent by any of the persons employed in the factory to the chief inspector, shall, during not less than two weeks before such rules are transmitted to the chief inspector, be posted up in like manner as is provided in this Act respecting the publication of special rules for the information of persons employed in the factory; and a certificate that such rules and notice have been so posted up shall be sent to the chief inspector, with the rules signed by the person sending the same.

(3.) The Secretary of State may approve such rules either with or without any omission alteration or addition, and on his approval being signified in such manner as he may think fit the special rules as approved shall be established. But no such omission alteration or addition shall be made without sufficient notice to the occupier to enable him to state his objections, if any, thereto.

Amendment of special rules.

9. (1.) After special rules are established under this Act in any white lead factory the occupier of such factory may from time to time propose in writing to the chief inspector, for the approval of a Secretary of State, any amendment of such rules or any new special rules, and the provisions of this Act with respect to the original special rules shall apply to all such amendments and new rules in like manner, as near as may be, as they apply to the original rules.

(2.) A Secretary of State may at any time propose to the occupier of any white lead factory any new special rules or any amendments to the special rules; and such new rules or amendments shall, as settled after time given for consideration of the objections, if any, of the occupier, be established as from a date to be fixed by a Secretary of State and specified therein.

False statements and transmission of rules.

10. If the occupier of any white lead factory to which this Act applies makes any false statement with respect to the posting up of the special rules and notices, he shall be liable on summary conviction to a fine not exceeding twenty pounds; and if special rules for any white lead factory are not transmitted within the time limited by this Act to the chief inspector, for the approval of a Secretary of State, such Secretary may by writing under his hand establish for that factory such special rules as he may see fit, to come into operation as from a date to be fixed by him and specified therein.

Publication of special rules.

11. (1.) Printed copies of all special rules for the time being in force in any white lead factory under this Act shall be kept posted

up in legible characters in conspicuous places in the factory where they may be conveniently read by the persons employed.

(2.) A printed copy of such rules shall be given by the occupier to any person affected thereby on his or her application.

(3.) If the occupier of any white lead factory fails to comply with any provision of this section, he shall be liable on summary conviction to a fine not exceeding ten pounds.

Defacing copies of rules, &c.

12. Every person who pulls down, injures, or defaces any proposed special rules, notice, or special rules when posted up in pursuance of the provisions of this Act with respect to special rules, or any notice posted up in pursuance of the special rules, shall be liable on summary conviction to a fine not exceeding five pounds.

Explanation of certain Provisions of Factory, &c. Act, 1878.

13. It is hereby declared that—

Explanation of s. 53 of 41 & 42 Vict. c. 16.

(*a.*) Section fifty-three of the Factory and Workshop Act, 1878, only authorises overtime employment of young persons or women to take place in any factory or workshop on forty-eight days in the whole, in any twelve months; and that in reckoning such period of forty-eight days, every day on which any young person or woman has been employed overtime is to be taken into account; and that

(*b.*) Section fifty-six of the said Act only authorises overtime employment of women to take place in any factory or workshop on ninety-six days in the whole in any twelve months, and that in reckoning such period of ninety-six days, every day on which any woman has been employed overtime is to be taken into account.

Amendment as to period of employment of children in certain cases.

14. Notwithstanding anything in section twelve or section fourteen of the Factory and Workshop Act, 1878, the period of employment for a child in an afternoon set in a factory or workshop, where the dinner-time does not begin before two o'clock in the afternoon, may begin at noon; provided that in such case the period of employment in the morning set shall end at noon.

Bakehouses.

Regulations for new bakehouses.

15. It shall not be lawful to let or suffer to be occupied as a bakehouse, or to occupy as a bakehouse, any room or place which was not so let or occupied before the first day of June one thousand eight hundred and eighty-three, unless the following regulations are complied with:

(i.) No watercloset, earthcloset, privy, or ashpit shall be within or communicate directly with the bakehouse;

(ii.) Any cistern for supplying water to the bakehouse shall be separate and distinct from any cistern for supplying water to a watercloset;

(iii.) No drain or pipe for carrying off fœcal or sewage matter shall have an opening within the bakehouse.

Any person who lets or suffers to be occupied or who occupies any room or place as a bakehouse in contravention of this section shall be liable, on summary conviction, to a fine not exceeding forty shillings, and to a further fine not exceeding five shillings for

every day during which any room or place is so occupied after a conviction under this section.

Penalty for bakehouse being unfit on sanitary grounds for use as a bakehouse.

16. Where a court of summary jurisdiction is satisfied on the prosecution of an inspector or a local authority that any room or place used as a bakehouse (whether the same was or was not so used before the passing of this Act) is in such a state as to be on sanitary grounds unfit for use or occupation as a bakehouse, the occupier of the bakehouse shall be liable, on summary conviction, to a fine not exceeding forty shillings, and on a second or any subsequent conviction, not exceeding five pounds.

The court of summary jurisdiction, in addition to or instead of inflicting such fine, may order means to be adopted by the occupier, within the time named in the order, for the purpose of removing the ground of complaint. The court, may, upon application, enlarge the time so named, but if, after the expiration of the time as originally named or enlarged by subsequent order, the order is not complied with, the occupier shall be liable to a fine not exceeding one pound for every day that such non-compliance continues.

Enforcement of law as to retail bakehouses by local authorities.

17. (1.) As respects every retail bakehouse, the provisions of this part of this Act and of sections three, thirty-three, thirty-four, and thirty-five of the Factory and Workshop Act, 1878 (which relate to cleanliness, ventilation, overcrowding, and other sanitary conditions), shall be enforced by the local authority of the district in which the retail bakehouse is situate, and not by an inspector under the Factory and Workshop Act, 1878; and for the purposes of this section the medical officer of health of the local authority shall have and exercise all such powers of entry, inspection, taking legal proceedings and otherwise, as an inspector under the Factory and Workshop Act, 1878.

(2.) If any child, young person, or woman is employed in any retail bakehouse, and the medical officer of the local authority becomes aware thereof, he shall forthwith give written notice thereof to the factory inspector for the district.

(3.) An inspector under the Factory and Workshop Act, 1878, shall not, as respects any retail bakehouse, exercise the powers of entry and inspection conferred by that Act, unless he has notice or reasonable cause to believe that a child, young person, or woman is employed therein.

Construction of Act and definitions. 41 & 42 Vict. c. 16.

18. This Act shall be construed as one with the Factory and Workshop Act, 1878; and in this Act, unless the context otherwise requires,—

The expression "white lead factory" includes every factory and workshop in which the manufacture of white lead is carried on:

The expression "retail bakehouse" means any bakehouse or place, the bread, biscuits, or confectionery baked in which are not sold wholesale but by retail in some shop or place occupied together with such bakehouse:

The expression "local authority" means, as respects the City of London and the liberties thereof, the Commissioners of Sewers; as respects the parishes and districts mentioned in the Schedules A. and B. annexed to the Metropolis Management Act, 1855, and any parish to which the said Act may be

18 & 19 Vict. c. 120.

extended by Order in Council in manner in the said Act provided, the vestries and district Boards elected under the said Act; and as respects any urban sanitary district, the urban sanitary authority, and as respects any rural sanitary district, the rural sanitary authority, within the meaning of the Public Health Act, 1875.

Application of Act to Scotland and Ireland.

Application of Act to Scotland. 30 & 31 Vict. c. 101.

19. In the application of this Act to Scotland the expression "local authority" means the local authority within the meaning of the Public Health (Scotland) Act, 1867.

Application of Act to Ireland. 41 & 42 Vict. c. 52.

20. In the application of this Act to Ireland the expression "local authority" means, as regards any urban sanitary district, the urban sanitary authority, and as regards any rural sanitary district the rural sanitary authority, within the meaning of the Public Health (Ireland) Act, 1878.

THE SCHEDULE.

CONDITIONS OF OBTAINING CERTIFICATE.

S. 3.

(1.) The stacks and stoves in the factory must be efficiently ventilated.

(2.) There must be provided for the use of the persons employed in the factory sufficient means of frequently washing hands and feet, with a sufficient supply of hot and cold water, soap, towels, and brushes.

(3.) There must be provided in addition, for the use of women employed in the factory, sufficient baths, with a sufficient supply of hot and cold water, soap, towels, and brushes.

(4.) There must be provided for the use of the persons employed in the factory (but not in any part of the factory where any work is carried on) a proper room for meals.

(5.) There must be provided for every person working at any tank an overall suit with head covering, and for every person working at any whitebed a respirator or covering for the mouth and nostrils and head covering, and for every person working at any dry stove or rollers an overall suit with head covering, and a respirator or covering for the mouth and nostrils.

(6.) There must be accessible to all persons employed in the factory a sufficient supply of acidulated drink.

CHAPTER 54.

An Act to make further provision respecting the National Debt, and the Investment of Moneys in the hands of the National Debt Commissioners on account of Savings Banks, and otherwise. [25th August 1883.]

38 & 39 Vict. c. 45.

WHEREAS by the Sinking Fund Act, 1875, a fixed annual sum of twenty-eight million pounds was charged on the Consolidated Fund as the permanent annual charge for the national debt:

And whereas various annuities payable out of such permanent annual charge will expire in the year one thousand eight hundred and eighty-five:

And whereas the National Debt Commissioners hold large sums of perpetual annuities on account of trustee savings banks, and

Post Office savings banks, and in pursuance of divers Acts, and lastly of the Savings Bank Investment Act, 1866, certain portions of those perpetual annuities have been converted into terminable annuities ending in the year one thousand eight hundred and eighty-five :

29 & 30 Vict. c. 5.

And whereas it is proposed to convert certain other portions of the said perpetual annuities into such terminable annuities as herein-after mentioned payable out of the permanent annual charge for the National Debt :

And whereas under the Savings Banks Investment Act, 1866, the Treasury have power from time to time to convert into terminable annuities such amount of perpetual annuities held by the National Debt Commissioners on account of post office savings banks as the Treasury think expedient, and it is expedient for the purpose of carrying into effect the said proposal to confer such power as herein-after mentioned to convert into terminable annuities perpetual annuities held by the said Commissioners on account of both trustee and post office savings banks :

35 & 36 Vict. c. 44.

And whereas in pursuance of the Chancery Funds Act, 1872, perpetual annuities to an amount exceeding sixty-one million pounds capital stock were on the thirty-first day of December one thousand eight hundred and eighty-two standing to the account of "the Pay-"master General, for the time being on behalf of the Court of "Chancery," in trust for the suitors of the High Court of Justice, in accordance with the said Act :

And whereas it is expedient to convert a portion of the said perpetual annuities held by the Paymaster General, not exceeding in the whole forty million pounds capital stock, into terminable annuities ending within a period not exceeding twenty years, subject to such provision as herein-after mentioned for the security of the suitors :

And whereas it is expedient to provide for the adjustment from time to time of the terminable annuities into which under this Act, or under the Savings Bank Investment Act, 1866, any perpetual annuities shall be converted, so as to prevent any loss or gain arising to the said Commissioners or the Paymaster General from such conversion :

And whereas it is expedient to make further provision respecting the securities held by the National Debt Commissioners :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. This Act may be cited as the National Debt Act, 1883.

Conversion of part of the perpetual annuities held by National Debt Commissioners on account of trustee and post office savings banks into terminable annuities.

2. (1.) The Treasury shall from time to time in manner provided by this Act, convert into terminable annuities of such amounts as herein-after mentioned such amount of perpetual annuities held by the National Debt Commissioners on account of trustee savings banks, and of post office savings banks, or on either of those accounts, as may be of equivalent capital value.

(2.) The first terminable annuities created in pursuance of this section shall amount in the whole to three million six hundred thousand pounds, and shall be divided into three sets, each of which

sets shall be for annual sums amounting in the whole to one million two hundred thousand pounds.

(3.) The annuities in one of such sets shall be for periods of five years, and shall terminate within five years from the thirty-first day of March one thousand eight hundred and eighty-four; the annuities in another of such sets shall be for periods of ten years, and shall terminate within ten years from the same day; and the annuities in the third of such sets shall be for periods of fifteen years, and shall terminate within fifteen years from the same day.

(4.) On the expiration of any terminable annuity created in pursuance of this section, whether originally or on the expiration of another annuity, a new annuity shall be created (by conversion of a sufficient portion of the said perpetual annuities) for a period of fifteen years from the date of such expiration, and of such annual amount as is equivalent to the expiring terminable annuity with the addition of a sum equal to the annual interest on the perpetual annuities converted into the new annuity. Provided that the power under this section of creating any annuity shall not unless continued by Parliament be exercised after the thirty-first day of March, one thousand nine hundred and four.

(5.) The annuities created under this section may be increased above or reduced below the amounts above named for the purpose of such adjustment as is provided by this Act.

Conversion of perpetual annuities held by Chancery Paymaster into terminable annuities.

3. The Treasury may, in manner provided by this Act, from time to time convert such amount of perpetual annuities standing to the account of the Paymaster General as the Treasury think expedient, not exceeding in the whole forty million pounds capital stock, into such terminable annuities for periods not exceeding twenty years as will terminate within twenty years from the thirty-first day of March one thousand eight hundred and eighty-four, and may be of equivalent capital value.

Provision to prevent loss or gain to National Debt Commissioners and Paymaster General from conversion.

4. In case of the conversion under this Act, of any perpetual annuities into a terminable annuity, the Treasury shall, at the cost of the Consolidated Fund, secure the National Debt Commissioners and the Paymaster General, as the case requires, against any loss arising by means of such conversion, and for the purpose of preventing any loss or gain arising to the National Debt Commissioners or the Paymaster General from such conversion, the following provisions shall have effect:

(*a.*) On any such conversion of perpetual annuities into a terminable annuity, the National Debt Commissioners shall cause a table to be framed and certified under the hands of the Controller General or Assistant Controller and of the Actuary of the National Debt Office, which table shall show, according to the basis on which the terminable annuity is calculated, the particulars herein-after mentioned respecting the application of the terminable annuity; and at least once in every five years, and oftener if so required by the Lord Chancellor or the Treasury, the National Debt Commissioners shall cause to be submitted to the Treasury an account with the particulars herein-after mentioned showing the result of such application of the terminable annuity; and the Treasury shall in manner provided by this Act adjust, as nearly as practicable, the terminable

annuity so as to bring the result into conformity with the table, and a return of any such adjustment shall be laid before both Houses of Parliament.

(*b.*) Where the perpetual annuities converted were held by the Paymaster General on behalf of the High Court of Justice, the table shall show the amount of perpetual annuities to be periodically replaced by means of the terminable annuity, and the account of the result shall show the amount of perpetual annuities actually so replaced, and the table and account shall be submitted to the Lord Chancellor before any adjustment is made.

(*c.*) Where the perpetual annuities converted were held by the National Debt Commissioners, the table shall show the capital to be periodically replaced by means of the annuity, and the account shall show, so nearly as the transactions of the National Debt Commissioners allow, the result of the application of the terminable annuity as compared with the said table.

(*d.*) If at any time the Lord Chancellor certifies to the Treasury, that by reason of the conversion under this section of perpetual annuities of any description into a terminable annuity, the Paymaster General is unable to meet the claims of the suitors of any Division of the Supreme Court to that description of perpetual annuities, the Treasury shall forthwith create such perpetual annuities as appear to them to be required to meet those claims, so that the amount so created do not exceed the amount of the said perpetual annuities converted after deducting the amount replaced; and thereupon the terminable annuity shall be adjusted as is above in this section mentioned.

Exchange of portion of annuities terminating in 1885 for longer terminable annuities.

5. For the purpose of facilitating the aforesaid conversion of perpetual annuities into terminable annuities, the Treasury may, in manner provided by this Act, exchange such of the existing terminable annuities specified in the schedule to this Act, (which are held by the National Debt Commissioners on account of trustee savings banks or Post Office savings banks, and terminate in the year one thousand eight hundred and eighty-five,) as the Treasury think expedient, not exceeding in the whole the annual sum of five million one hundred and thirty-five thousand two hundred and sixty-three pounds, for such new terminable annuities for periods not exceeding twenty years, as may be of equivalent capital value; and the capital value of the existing annuities shall be deemed to be their present value ascertained on the basis of the rate of interest yielded by three per cent. perpetual annuities at the average price of the day as certified by the Bank of England on the day of the exchange, and in calculating the capital value of the new annuities the interest shall be taken at the same rate.

Extension of term for terminable annuity upon conversion of three per cents. held by National Debt Commissioners into 2½ per cents.

6. Whereas by the Savings Banks Act, 1863, the Treasury were empowered to convert portions of the three per cent. perpetual annuities held by the National Debt Commissioners on account of Post Office savings banks into an equal amount of two and a half per cent. perpetual annuities, and to pay the difference in value by a terminable annuity ending on the fifth day of April one thousand eight hundred and eighty-five, and it is expedient to extend the period for the said terminable annuity; be it therefore enacted as follows:

Any terminable annuity created in pursuance of the above-recited enactment of the Savings Banks Act, 1863, may be for a term not exceeding twenty years from the date of the creation thereof. 26 & 27 Vict. c. 14.

Redemption of part of terminable annuities under 44 & 45 Vict. c. 54.

7. Whereas in pursuance of the Indian Loan Act, 1881, the Treasury have converted into a terminable annuity of one hundred and fifteen thousand, eight hundred and sixty-four pounds, ten shillings, for a period ending on the fifth day of July, one thousand nine hundred and six, the sum of two million, forty-nine thousand, two hundred and fifty-nine pounds, five shillings and ninepence, Three per Cent. Consolidated Bank Annuities, held by the National Debt Commissioners on account of Post Office Saving Banks;

And whereas it is expedient to authorise the Treasury to redeem a portion of the said terminable annuity, and upon such redemption to reduce the annual sum of one hundred and twenty thousand pounds, by which the permanent annual charge for the National Debt was increased by section three of the above-mentioned Act: Be it therefore enacted as follows:

(1.) The Treasury shall at such times as they think fit before the first day of April next after the passing of this Act pay out of the Consolidated Fund or the growing produce thereof the sum of one million pounds to the National Debt Commissioners, and upon that payment shall cancel such portion of the said terminable annuity held by the National Debt Commissioners, as is of equivalent capital value to the sum so paid, ascertained on the basis of the rate of interest yielded by the Three per Cent. Consolidated Bank Annuities at the average price of the day as certified by the Bank of England on the day of payment.

(2.) The Treasury may cancel the said portion of the terminable annuity by a warrant to the Governor and Company of the Bank of England directing them to cancel in their books that portion of the said annuity.

(3.) The sum paid to the National Debt Commissioners in pursuance of this section shall be applied by them in like manner as other moneys in their hands on account of Post Office Savings Banks.

(4.) The permanent annual charge of the National Debt shall, during the currency of the terminable annuity created under the Indian Loan Act, 1881, be reduced by the amount of the portion cancelled in pursuance of this section, and the Sinking Fund Act, 1875, as amended by section three of the Indian Loan Act, 1881, shall be construed accordingly.

Supplemental provisions as to conversion and creation of annuities.

8. For the purposes of this Act the following provisions shall have effect:—

(1.) The conversion or exchange of one class of annuities into or for another class of annuities, and the adjustment of a terminable annuity, shall be effected by a warrant of the Treasury to the Bank of England directing them to cancel in their books, as from the date of conversion or exchange specified in the warrant, annuities of such class, and standing in such names and of such an amount as is mentioned in the warrant, and by the creation (by the same or another warrant) in the same names of such annuities as the case requires.

(2.) Terminable and perpetual annuities shall be created by a warrant from the Treasury to the Bank of England directing them to inscribe in their books, as from the date of creation specified in the warrant, terminable annuities of the amount and for the periods mentioned in the warrant. or as the case requires, perpetual annuities of the amount and description mentioned in the warrant.

(3.) The amount of any annuities so to be cancelled or created shall be certified to the Treasury by the National Debt Commissioners under the hands of the Controller General or Assistant Controller and of the Actuary of the National Debt Office.

(4.) The equivalent capital value shall, save as otherwise provided by this Act, be calculated as follows :

(*a.*) in the case of any terminable annuities, into which any perpetual annuities are to be converted, the interest shall be taken at the rate of interest yielded by the said perpetual annuities at the average price of the day as certified by the Bank of England on the date of conversion.

(*b.*) the capital value of perpetual annuities shall be calculated at the average price of the day as certified by the Bank of England on the date of creation or conversion as the case may be.

(5.) The date of conversion, the date of creation, and the date of exchange shall respectively be, save as otherwise specified in this Act, such day as may be in each case agreed on between the Treasury and the National Debt Commissioners.

(6.) The annuities terminable or perpetual, or any part thereof, directed by any warrant under this Act to be cancelled shall, after the date specified in the warrant, be cancelled, and all payments in respect thereof shall cease.

(7.) All annuities terminable or perpetual created under this Act shall, after the date of creation, be charged on the Consolidated Fund and the growing produce thereof, and shall be payable out of the permanent annual charge for the national debt yearly, half yearly, or quarterly at such times in each year as may be fixed by the warrant creating them.

(8.) All perpetual annuities created in pursuance of this Act shall be consolidated with other perpetual annuities of the same description and payable at the same date, and shall be transferable in the books of the Bank of England in like manner as the annuities with which they are consolidated, and shall be subject to the enactments relating to those annuities so far as is consistent with the tenor of those enactments.

Supplemental provisions as to application of terminable annuities.

9. (1.) Any terminable annuity payable to the National Debt Commissioners in respect of the conversion under this Act of any perpetual annuities held by them shall, so far as it represents interest. be dealt with as the dividends on the said perpetual annuities would have been applied, and so far as it represents principal shall be dealt with by them as moneys received on account of trustee or Post Office savings banks.

(2.) When any perpetual annuities have in pursuance of this Act been converted into a terminable annuity payable to the Paymaster-General, that terminable annuity shall be paid to the

National Debt Commissioners, who shall thereout pay to the Paymaster-General such amount as would, but for the conversion, be for the time being payable as dividends on the said perpetual annuities converted, (to be applied by him in like manner as the dividends for the time being payable on those annuities), and shall from time to time invest the residue in the purchase of perpetual annuities in the names of the National Debt Commissioners on account of the Supreme Court of Judicature, and shall invest from time to time in like manner the dividends received on such investments and on any accumulations thereof.

(3.) At any time the National Debt Commissioners shall, if so required by the Lord Chancellor, transfer to the account of the Paymaster-General all or any of the annuities so purchased, and the amount of the dividends on the annuities so transferred and on any perpetual annuities created in compliance with a certificate of the Lord Chancellor under this Act, shall be deducted from the amount periodically payable by the National Debt Commissioners to the Paymaster General for dividends under this section.

(4.) On the termination of the terminable annuity, the National Debt Commissioners, out of the annuities purchased on account of the Supreme Court of Judicature under this section, shall transfer to the account of the Paymaster General such amount of perpetual annuities as would but for the conversion into the said terminable annuity have been then held by the Paymaster General after deducting the amount of annuities transferred in pursuance of this section or created in compliance with a certificate of the Lord Chancellor; and if the amount of perpetual annuities so purchased is less than the amount so required to be transferred, the Treasury shall in manner provided by this Act create such amount of perpetual annuities as is required to meet the deficiency, and if the amount so purchased exceeds the amount required to be transferred, the surplus shall be cancelled in such manner as the Treasury may by warrant direct.

Warrants to be authority for Bank of England.

10. The warrants of the Treasury issued in pursuance of this Act shall be a sufficient authority to the Bank of England for doing the things thereby directed, and copies of such warrants shall be laid before both Houses of Parliament within one month after they are issued if Parliament is then sitting, and if not, within one month after the then next meeting of Parliament.

Definitions.

11. In this Act, unless the context otherwise requires—

The expression "Treasury" means the Commissioners of Her Majesty's Treasury:

The expression "Lord Chancellor" means the Lord High Chancellor of Great Britain or the Lord Keeper or Commissioners of the Great Seal of Great Britain:

The expression "National Debt Commissioners" means the Commissioners for the Reduction of the National Debt:

The expression "Bank of England" means the Governor and Company of the Bank of England:

The expression "perpetual annuities" means three and a half per cent. bank annuities, three per cent. consolidated bank annuities, three per cent. reduced bank annuities, new three

per cent. bank annuities, and two and a half per cent. bank annuities, or any of such annuities.

26 & 27 Vict. c. 87. The expression "trustee savings bank" means a savings bank to which the Trustee Savings Bank Act, 1863, extends.

The expression "Paymaster General" means the Paymaster General for the time being on behalf of the Court of Chancery under the provisions of the Court of Chancery Funds Act, 1872, or the Paymaster General for the time being for and on behalf of the Supreme Court of Judicature under the provisions of the Supreme Court of Judicature (Funds, &c.) Act, 1883.

35 & 36 Vict. c. 34.

46 & 47 Vict. c. 29.

SCHEDULE.

See clause 5.

ANNUITIES TO BE EXCHANGED.

	£	s.	d.
1. Annuities created for fortifications under 23 & 24 Vict. c. 109. and subsequent Acts - -	588,003	11	6
2. Annuities created for localisation of the military forces under 35 & 36 Vict. c. 63. - -	378,831	0	0
3. Annuities created, in lieu of stock held on account of savings banks, under 29 Vict. c. 5. and 32 & 33 Vict. c. 59. - - - -	3,617,845	0	0
4. Portion of annuities created under National Debt Act, 1880 (43 Vict. c. 15.) - - - -	550,583	0	0
	5,135,262	11	6

CHAPTER 55.

An Act to amend the law relating to the Customs and Inland Revenue, and to make other provisions respecting charges payable out of the public revenue, and for other purposes. [25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may be cited as the Revenue Act, 1883.

PART I.

Amendment of Law relating to the Customs.

Amendment of s. 42. of 39 & 40 Vict. c. 36.

2. The following enactments shall, on and after the first day of January one thousand eight hundred and eighty-four, have effect as if they were contained in section forty-two of the Customs Consolidation Act, 1876, in substitution for the portion of that section repealed by this Act, that is to say—

Repealed by Merchandise Marks Act, 1887 (see 16 sub 10), which substitutes Enlarged prohibition.

(1.) (*a.*) Articles of foreign manufacture not imported by, or for, but bearing the name and address or name and trademark of a manufacturer of such articles resident, or having a place of business in the United Kingdom.

(*b.*) Articles of foreign manufacture bearing, either alone or in conjunction with other names or words, the name of a

part of, or a place in, the United Kingdom, which name in the opinion of the Commissioners of Customs has been placed upon such articles in order to impart to them a special character of British manufacture.

(2.) The proprietary right of a manufacturer in any name or mark on any articles of foreign manufacture shall be proved or evidenced in such manner and upon such conditions as the Commissioners of Customs shall prescribe.

(3.) Articles bearing the name of a place which would render them subject to prohibition under this section shall not be admissible by reason of there being another place of the same name out of the United Kingdom.

(4.) Names, addresses, and marks on boxes, cases, cards, or other things in which or attached to which articles of foreign manufacture are imported, shall be deemed to be borne by the articles themselves.

(5.) The Commissioners of Customs in administering this section, whether in the exercise of any discretion or opinion or otherwise, shall act under the control of the Commissioners of Her Majesty's Treasury.

(6.) In this section the word "name" as applied to a manufacturer shall include any abbreviation or imitation of a name; and the word "Manufacturer" shall include a dealer, and a manufacturing or trading company having a place of business in the United Kingdom.

Foreign spirits racked into casks, not less than nine gallons, may be exported.

3. Notwithstanding any existing provision to the contrary in the Customs Acts, foreign spirits racked or drawn off in a warehouse may, in casks each containing not less than nine gallons, be exported or removed for exportation only to another warehouse in the United Kingdom, and may be imported into the Channel Islands, or any of them, and may be exported from the said Islands to foreign parts only, and may be removed from any one to any other of the said Islands without any licence from the officers of Customs, and may be carried coastwise from any one part to any other part of the said Islands.

Execution on judgment in superior court.

4. If in any suit, prosecution, or information for the recovery of penalties under the Customs Acts in the High Court of Justice in England, the High Court of Justice in Ireland, or the Court of Session as Court of Exchequer, or the High Court of Justiciary in Scotland, judgment or decree shall be obtained against any person by default or in absence or in foro or by verdict or otherwise, and such person shall not pay the sum or sums of money for which such judgment shall have been entered up or discerned for under such decree, execution shall thereupon issue, and diligence shall proceed not only against his body but against all his real and personal estate, whether vested in himself or in any other person in trust for him, for such sum or sums of money as aforesaid, together with the costs, poundage, fees, and expenses of execution; and any person whose body shall be taken in execution as aforesaid shall be treated in the same manner in all respects as a person committed to prison by any justice for non-payment of a penalty incurred for an offence against the Customs Acts.

Vessels arriving to come quickly to place of unlading and bring to at the stations for boarding officers. Penalty for neglect, 20*l.*

5. If any ship on arrival at any port or place in the United Kingdom or the Channel Islands shall not come as quickly up to the proper place of mooring or unlading as the nature of the port or place will admit without touching at any other place, and in proceeding to such proper place shall not bring to at the station appointed by the Commissioners of Customs for the boarding of ships, or if after arrival at such place such ship shall remove therefrom except with the knowledge of the proper officer of Customs directly to some other proper place of mooring or unlading, the person having charge of such ship, whether master or pilot, shall forfeit the sum of twenty pounds.

Accommodation of officers on board. Penalty, 20*l.*

6. If the master of any ship shall neglect or refuse to provide sufficient room and accommodation under the deck for the bed or hammock of every officer of Customs stationed on board such ship he shall forfeit the sum of twenty pounds.

If seals upon stores inwards be broken or the stores secretly conveyed away master to forfeit 20*l.*

7. If the proper officer of the Customs shall place any lock, mark, or seal upon any stores or upon any place or package in which the same may be on board any ship or vessel arriving in the United Kingdom, and such lock, mark, or seal shall be wilfully opened, altered, or broken, or if any stores so secured shall be secretly conveyed away either while the ship remains in the port at which she shall have so arrived, or at any other port in the United Kingdom to which she may proceed, or on her passage from one port to another, the master of such ship shall forfeit the sum of twenty pounds.

Amendment of 39 & 40 Vict. c. 36. s. 230.

8. For the purposes of section two hundred and thirty of the Customs Consolidation Act, 1876, a borough having a separate magisterial jurisdiction situate geographically within a county shall be deemed to be "neighbouring" or "adjoining" to that county.

Extension of word "ship" in 39 & 40 Vict. c. 38. to sea fishing boats. 31 & 32 Vict. c. 45.

9. For the purpose of carrying into effect the regulations under the Sea Fisheries Act, 1868, and any Act amending the same, the Commissioners of Customs may from time to time make, and when made revoke and vary, an order declaring that such of the provisions of the Customs Consolidation Act, 1876, and the Acts amending the same, as are specified in the order, shall apply, and the same shall accordingly apply to sea fishing boats in like manner as if the word "ship" in those provisions included "sea fishing boat."

Assay and marking of imported gold and silver plate.

10. And whereas by the statutes now in force relating to gold and silver wares, it is enacted and provided that gold and silver plate, not being battered, which shall be imported into the United Kingdom of Great Britain and Ireland and sold, exchanged, or exposed to sale within the said United Kingdom, shall be of the respective standards now required for any ware, vessel, plate, or manufacture of gold or silver wrought or made in England; and that no gold or silver plate so imported as aforesaid, not being battered, shall be sold, exchanged, or exposed to sale within the said United Kingdom, until the same shall have been assayed, stamped, and marked, either in England, Scotland, or Ireland, in the same manner as any ware, vessel, plate, or manufacture of gold or silver wrought or made in England, Scotland, or Ireland respectively, is or are now by law required to be assayed, stamped, and marked. And that in order that gold and silver plate so imported as aforesaid may be assayed, stamped, and marked, it shall and may be lawful for

any person to send the same to any assay office in the United Kingdom at which gold and silver plate is now by law required to be assayed, and when so sent it shall be assayed, tested, stamped, and marked in such and the same manner as if the same were British plate by law assayable in such office, but with the addition of the letter F, and that if any gold or silver plate so imported as aforesaid and so sent to any such assay office as aforesaid, shall on being assayed at such assay office be found or discovered to be of coarser alloy than the said respective standards, such gold or silver ware shall be cut, broken, and defaced at such assay office.

And whereas it is desirable to secure with more certainty the marking of all gold and silver plate of standard quality imported into Great Britain or Ireland to be sold, exchanged, or exposed for sale, and also to make provision for allowing the exportation of imported plate of coarser alloy than the said respective standards:

Be it enacted,—

1. That all gold and silver plate imported into Great Britain or Ireland shall be entered to be warehoused, and shall be deposited in a bonded warehouse, and no such plate shall be delivered for home use until assayed, stamped, and marked according to law.
2. That for the purpose of assay, such plate may upon such notice to the proper officer of customs, upon such security for the payment of duty, and subject to such regulations as the Commissioners of Customs may from time to time prescribe, be removed from the warehouse in charge of an officer of customs by the importer and at his risk, to, and be delivered into the hands of the officers of the assay office nearest to the port of importation.
3. That upon previous payment by the importer of the expense of assay, the officer of the assay office shall assay the plate and shall give notice of the result of such assay to the proper officer of customs, and to the importer.
4. If such plate shall be found upon assay to be of standard quality, it may thereupon be cleared for home use, and the officer of the assay office upon production of a certificate from the proper officer of customs that the duty and all proper charges have been paid, shall stamp, mark, and deliver the plate to the importer.
5. If such plate shall be found upon assay not to be of standard quality, it shall not be cut, broken, or defaced at the assay office, but shall, upon such notice and under such regulations as the Commissioners of Customs shall from time to time prescribe, be removed from the assay office in charge of an officer of customs by the importer and at his risk, and be returned to the warehouse.
6. All plate returned to the warehouse after assay may within one month from such return be exported by the importer under such conditions and upon such security as are prescribed by the Customs Laws in relation to the exportation of warehoused goods.
7. After the expiration of one month from the return of any plate to the warehouse, or sooner if the importer shall desire it,

any part thereof not exported shall be cut, broken, and defaced by the proper officer of customs, and shall be delivered free of duty upon payment of all proper charges.

8. Actual deposit of plate in a warehouse under this section may, with the approval of the Commissioners of Customs, be dispensed with in cases in which the plate can be and is removed direct from the place of examination to the assay office, but plate so removed direct shall, nevertheless, for the purposes of this section be deemed to have been actually deposited.

9. The notice from the officer of the assay office of the result of the assay above referred to in this section shall be a notice prescribed by the Commissioners of Customs, and as regards the importer, shall be posted to an address to be stated by him on depositing his plate at the assay office.

10. In this section the words "proper charges" shall mean all such charges as the Commissioners of Customs, with the approval of the Commissioners of Her Majesty's Treasury, shall make for attendance of officers or otherwise. Where plate is removed to an assay office in pursuance of this section, within one month after entry, the rates for warehousing under the Customs Tariff Act, 1876, shall not be charged.

11. Articles of plate exempted from assay in the United Kingdom are not subject to the provisions of this section.

12. Plate imported for private use and not for sale shall also be exempted upon proof by statutory declaration referring to this section being furnished to the satisfaction of the Commissioners of Customs that such plate is not intended for sale or exchange.

13. But in case any such plate shall at any time thereafter be taken to an assay office to be assayed, and shall be found upon assay not to be of standard quality, such plate shall be deemed to be plate removed from a warehouse for assay under this section, and shall be dealt with accordingly. Plate taken to be assayed under this sub-section shall be identified to the satisfaction of the proper officer of the assay office.

Construction with 39 & 40 Vict. c. 36.

11. This part of this Act shall be construed as one with the Customs Consolidation Act, 1876.

PART II.

Amendment of Law relating to the Inland Revenue.

Extension of 43 & 44 Vict. c. 19. s. 26 as to places of meeting of commissioners.

12. In addition to the power given to the land tax commissioners, general commissioners, and additional commissioners by subsection two of section twenty-six of the Taxes Management Act, 1880, to meet and act within such city, town, or place as therein mentioned, the said commissioners respectively may, with the consent of the Board of Inland Revenue, meet for the purpose of acting as such commissioners at any place outside the boundary of the division for which they act, and all things done by them, as commissioners acting for such division at that place, shall be as valid and effectual in law as if the same had been done at a place of meeting within the division.

13. The power vested in the Board of Inland Revenue by section thirty-eight of the Taxes Management Act, 1880, may be exercised in any case in England where any new parish or place has been or may be formed for the purposes of poor law administration, or any amalgamation in relation to parishes or parts of parishes has been or may be effected for such purposes. Extension of 43 & 44 Vict. c. 19. s. 38 as to cases in which power may be exercised.

In any case of amalgamation where the transfer of jurisdiction is not provided for by subsection two of the said section thirty-eight, amalgamated parishes or parts of parishes shall be within the jurisdiction of such body of general commissioners as shall be determined by the board and specified in the order in writing containing the direction of the board as to the amalgamation in conformity with subsection one of the said section.

14. Whereas doubts have arisen as to the construction and application of sections ninety and ninety-seven of the Taxes Management Act, 1880, and it is expedient to remove those doubts: Be it therefore enacted as follows: Removing doubts as to construction of 43 & 44 Vict. c. 19. ss. 90, 97.

Section ninety-seven of the said Act shall be construed so as to confine the application thereof to cases of removal from one parish in Scotland to another parish in Scotland, and the case of removal from a parish in England or Ireland to a parish in Scotland shall be dealt with under the provisions contained in section ninety of the said Act.

15. In lieu of the stamp duty now payable under the Stamp Act, 1870, there shall be charged upon mortgage, bond, debenture, covenant, and foreign security of any kind— Stamp duty on mortgages, &c., and for small sums. 33 & 34 Vict. c. 97.

Being a security for the payment or repayment of money not exceeding ten pounds - - -	0*s.* 3*d.*

Part III.

Miscellaneous.

16. Whereas in the year one thousand eight hundred and eight the Commissioners of the Treasury advanced twenty-one thousand pounds to the Mayor, Commonalty, and Citizens of the City of London (in this section referred to as "the Corporation of London") for the purpose of making improvements in the port of London, and the whole of the sum so advanced was expended, with the exception of nine pounds nine shillings and fivepence halfpenny, which sum remains in the hands of the Chamberlain of the City of London as part of unclaimed balances: Adjustment of certain old accounts between the Chamberlain of the City of London and the Treasury and the Thames Conservators.

And whereas in the year one thousand eight hundred and nineteen the sum of ten thousand two hundred and sixty pounds was received by the Corporation of London for the sale of certain land in the Isle of Dogs, and, after deducting certain expenses, was paid into the Exchequer, and a sum of seventeen shillings was so paid in excess of the sum which ought to have been paid:

And whereas, after deducting the said overpayment of seventeen shillings from the said balance of nine pounds nine shillings and fivepence halfpenny, there remains eight pounds twelve shillings and fivepence halfpenny due to the Exchequer:

And whereas, in each year up to the time of the sale of the City of London Canal in the year one thousand eight hundred and

twenty-nine, a portion of the revenue of the canal was paid to the fund called the tonnage duty fund, arising from dues received under certain Local and Personal Acts, and was so paid in discharge of a debt due to that fund:

And whereas the sum of eighty-seven pounds fourteen shillings and ninepence, being the balance arising from such canal revenue, was not paid over to the tonnage duty fund, and, after deducting a sum of five pounds and eightpence paid by the Corporation of London for stamp duty in the year one thousand eight hundred and forty, there remains a sum of eighty-two pounds fourteen shillings and one penny on account of the said revenue in the hands of the Chamberlain of the City of London as part of unclaimed balances:

And whereas the tonnage duty fund has been transferred to the Conservators of the River Thames, and it is expedient that the said sum should be paid to the said Conservators for the credit of the tonnage duty fund: Be it therefore enacted as follows:

The Chamberlain of the City of London is hereby authorised, out of the sums in his hands on account of unclaimed balances, to pay into the Exchequer the sum of eight pounds twelve shillings and fivepence halfpenny in respect of the advances from the Exchequer as above recited, and further to pay to the Conservators of the River Thames for the credit of the tonnage duty fund the sum of eighty-two pounds fourteen shillings and one penny in part repayment of the debt due from the canal revenue, as above recited.

Extension of 45 & 46 Vict. c. 61. ss. 76 to 82 and 24 & 25 Vict. c. 98. s. 25.

17. Sections seventy-six to eighty-two, both inclusive, of the Bills of Exchange Act, 1882, and section twenty-five of the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-eight, intituled "An "Act to consolidate and amend the Statute Law of England and "Ireland relating to indictable offences by forgery," shall extend to any document issued by a customer of any banker, and intended to enable any person or body corporate to obtain payment from such banker of the sum mentioned in such document, and shall so extend in like manner as if the said document were a cheque.

Provided that nothing in this Act shall be deemed to render any such document a negotiable instrument.

For the purpose of this section Her Majesty's Paymaster General, and the Queen's and Lord Treasurer's Remembrancer in Scotland shall be deemed to be bankers, and the public officers drawing on them shall be deemed customers.

Annuities Redemption.

Amendment of 36 & 37 Vict. c. 57. so far as regards permanent charges on the Consolidated Fund payable to charities.

18. Whereas by the Consolidated Fund (Permanent Charges Redemption) Act, 1873, the Treasury are authorised, as regards certain annuities as defined by that Act which are charged on the Consolidated Fund or moneys provided by Parliament, to contract for their redemption by payment of a capital sum out of moneys provided by Parliament not exceeding the sum therein mentioned, and in the case of an annuity payable to trustees for any purpose, charitable or other, the contract for such redemption is made subject to the consent of the Court of Chancery, and the money is required to be paid into the Court of Chancery, and is to be applied by the Court for the benefit of the persons entitled thereto:

And whereas any such contract may provide for the said redemption by the transfer of Government securities as therein defined, instead of by payment of a sum of money:

And whereas it is expedient to amend the said Act as regards the redemption of annuities payable for charitable purposes: Be it therefore enacted as follows:

(1.) The Treasury may in pursuance of the Consolidated Fund (Permanent Charges Redemption) Act, 1873, contract from time to time with the Charity Commissioners for England and Wales (in this section referred to as the Charity Commissioners) for the redemption of all or any of the annuities under that Act which are payable for charitable purposes in England or Wales, and the money or securities paid or transferred for such redemption may be paid or transferred to the official trustees of charitable funds in pursuance of such contract, and upon such payment or transfer the annuities to which the contract refers shall cease to be charged on and payable out of the Consolidated Fund or moneys provided by Parliament, so however that any proportionate part of any such annuity which may be due up to the time of such payment or transfer shall be paid by the Treasury to the person entitled thereto.

(2.) The Charitable Trusts Acts, 1853 to 1869, shall apply in like manner as if any money paid or securities transferred to the said official trustees in pursuance of this section for the redemption of any annuity had been paid or transferred in pursuance of an order of the Charity Commissioners under the said Acts, and were part of the endowment of the charity entitled to the annuity, and expressions in this section shall have the same meaning as in the said Acts.

(3.) The Consolidated Fund (Permanent Charges Redemption) Act, 1883, which provides for the borrowing by the Treasury from the National Debt Commissioners of the capital sum or securities necessary for carrying into effect a contract for the redemption of any annuity as defined by the Consolidated Fund (Permanent Charges Redemption) Act, 1873, shall apply for the purposes of this section. 46 Vict. c. 1.

Part IV.

Repeal.

19. The Act mentioned in the schedule to this Act is hereby repealed to the extent in the third column of that schedule mentioned. Repeal of Act in schedule.

Provided that—

(1.) This repeal shall not affect any right acquired or liability incurred before the passing of this Act, or any legal proceeding, execution, or process to enforce the same; and any such proceeding, execution, or process may be constituted, issued, carried on and enforced as if this Act had not passed;

(2.) This repeal shall not affect any punishment or penalty for any offence committed before the passing of this Act under any enactment hereby repealed, and such offence may be pro-

secuted and punishment and penalty imposed in like manner as if this Act had not passed; and

(3.) This repeal shall not affect any execution upon any judgment obtained before the passing of this Act, and such execution may issue and be enforced in like manner as if this Act had not passed.

(4.) Notwithstanding such repeal, the proprietors or occupiers of warehouses approved by the Commissioners of Customs for the warehousing of goods, or given by any other persons on behalf of such proprietors or occupiers for securing the payment of the duties chargeable on warehoused goods, or for the due exportation thereof, shall remain in full force and effect against such proprietors, occupiers, and other persons and their sureties, if any; and in case proceedings shall be taken upon any such bond, the said repeal shall not be used as a defence to such proceedings, but all such bonds shall be read as if there were no condition therein contained with regard to the clearing, exporting, or rewarehousing of goods within five years.

SCHEDULE.

Sect. 19.

ACT REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section forty-two from "articles of foreign manufacture" down to "place in the United Kingdom," and from "any name, brand, or mark" down to "place in the United Kingdom," all inclusive, as from the first day of January one thousand eight hundred and eighty-four. Section forty-six. Section forty-seven from "and if the proper officer" inclusive to the end of the section. Section ninety-two. Section ninety-three. Section ninety-eight from "in which case the proper officer" inclusive to the end of the section. Section two hundred and forty-nine from "and in case judgment shall be obtained" inclusive to the end of the section.

CHAPTER 56.

An Act to amend the Laws relating to Education in Scotland, and for other purposes connected therewith.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Education (Scotland) Act, 1883, and this Act and the Education (Scotland) Act, 1872, and the Education (Scotland) Act, 1878, may be cited together as the Education (Scotland) Acts, 1872 to 1883.

Commencement and application of Act.

2. This Act shall, except in so far as otherwise provided, come into operation on the first day of January one thousand eight hundred and eighty-four, and shall apply to Scotland only.

Definitions.

3. The term "Education Acts" in this Act means the Education (Scotland) Act, 1872, the Education (Scotland) Act, 1878, and this and any other Act amending the same.

In the "Education Acts" sheriff includes sheriff substitute.

A court of summary jurisdiction under this Act shall consist of a sheriff, sitting either in the ordinary sheriff court or at any place where circuit courts are held for the determination of small debt causes, or one or more justices of the peace sitting in open court, or the provost or bailie of any royal or parliamentary burgh, or a magistrate of police of any police burgh or a judge of police sitting in the police court.

Amendment of s. 69 of the Education (Scotland) Act, 1872.

4. Section sixty-nine of the Education (Scotland) Act, 1872, shall be read and have effect as if it provided that it shall be the duty of every parent to provide efficient elementary education in reading, writing, and arithmetic for his children who are between five and thirteen years of age, and who have not obtained a certificate of ability to read and write and of a knowledge of elementary arithmetic under section seventy-three of the said Act as amended by this Act, and also for any of his children between thirteen and fourteen years of age who have not obtained such certificate.

Amendment of s. 70 of the Education (Scotland) Act, 1872, and s. 22 of the Education (Scotland) Act, 1878.

5. Section seventy of the Education (Scotland) Act, 1872, and section twenty-two of the Education (Scotland) Act, 1878, shall be amended as follows:—

(1.) Section seventy of the first-mentioned Act shall be read and have effect as if it did not contain the words "and are failing and omitting" and the words "and is grossly and".

(2.) Section twenty-two of the second-mentioned Act shall be read and have effect as if for the word "thirteen" therein the word "fourteen" were substituted, and as if after the words "the said fees" therein the words "at any public or inspected "school selected by the parent or, failing such selection, "appointed by the sheriff" were inserted.

Provisions as to children employed in labour.

6. From and after the first day of September one thousand eight hundred and eighty-five, notwithstanding the provisions of section five of the Education (Scotland) Act, 1878, and of any Act of Parliament regulating the education of children employed in labour, the said Acts shall be read and have effect as if they provided that it

shall not be lawful for any person to take into his employment a child being of the age of ten years and not more than fourteen years, unless such child (1) has passed the third standard prescribed by the minutes of the Scotch Education Department regulating the administration of the parliamentary grant for education in Scotland for the year one thousand eight hundred and eighty-three, or a corresponding standard prescribed by the said minutes for any subsequent year, and is attending a public or inspected school in accordance with the provisions of the twenty-third section of the Factory and Workshop Act, 1878, or of any minute of the Scotch Education Department fixing the number of the attendances at school to be required of such children; or (2) has obtained a certificate of ability to read and write, and of a knowledge of elementary arithmetic under the seventy-third section of the Education (Scotland) Act, 1872, as amended by the immediately succeeding section.

Nothing in this section shall make it lawful to take into full-time employment any child under the age of thirteen years in a factory or workshop which is subject to the provisions of the Factory and Workshop Act, 1878.

Provided that nothing in this section shall prevent an employer from employing any child who is employed by him or by any other person before the first day of September one thousand eight hundred and eighty-five, and who attends school in accordance with the provisions of the Factory and Workshop Act, 1878.

Amendment of s. 73 of the Education (Scotland) Act, 1872.

7. A certificate of ability to read and write, and of a knowledge of elementary arithmetic, shall not be granted in favour of any child by one of Her Majesty's inspectors, under section seventy-three of the Education (Scotland) Act, 1872, unless such child has passed the fifth standard prescribed by the minutes of the Scotch Education Department regulating the administration of the parliamentary grant for education in Scotland for the year one thousand eight hundred and eighty-three, or a corresponding standard prescribed by the said minutes for any subsequent year.

Meaning of passing a standard.

8. Passing a standard within the meaning of the two immediately preceding sections signifies passing in each of the three subjects of reading, writing, and elementary arithmetic, as prescribed for the respective standards of examination by the Minutes of the Scotch Education Department regulating the administration of the Parliamentary Grant for Education in Scotland for the year one thousand eight hundred and eighty-three, or for any subsequent year.

Provision as to order of a court for attendance at school of child neglected by parent.

9. If the parent of any child without reasonable excuse neglects to provide efficient elementary education as aforesaid for his child, or fails to secure the regular attendance of his child at some public or inspected school, it shall be lawful for the school board, after due warning to the parent of such child, to complain to a court of summary jurisdiction, and such court may, if satisfied of the truth of such complaint, order that the child do attend some public or inspected school willing to receive him and named in the order, being either such as the parent may select, or, if he do not select any, then such as the court think expedient, and the child shall attend that school every time the school is open, and during the whole time

such school is open for the instruction of children of similar age, including the day fixed by Her Majesty's inspector for his annual visit, or in such other regular manner as is specified in the order.

An order under this section is in this Act referred to as an attendance order.

Proceedings on disobedience to order of court for attendance at school.

10. Where an attendance order is not complied with without reasonable excuse, a court of summary jurisdiction, on complaint made by the school board, may, if it think fit, impose a penalty not exceeding twenty shillings, with expenses, or of imprisonment not exceeding fourteen days.

A complaint under this section shall not be repeated at any less interval than one month.

Reasonable excuse.

11. Any of the following reasons shall be a reasonable excuse within the meaning of sections seventy and seventy-two of the Education (Scotland) Act, 1872, and of the two immediately preceding sections of this Act, namely,—

(*a.*) That the child has been prevented from attending school by sickness or any other unavoidable cause:

(*b.*) That there is no public or inspected school which the child can attend within three miles, measured according to the nearest road, from the residence of such child.

Duty of school board to take proceedings under this Act.

12. Where the school board are informed by any person of any child in their district who is stated by that person not to be in course of receiving elementary education by regular attendance at some public or inspected school or otherwise, it shall be the duty of the school board to take proceedings under sections nine and ten of this Act, unless the school board, for reasons to be set forth in their minutes, think that it is inexpedient to take such proceedings.

Provisions for combination school.

13. Where the Scotch Education Department are of opinion that it would be expedient that two or more school boards, whether of parishes or burghs or parishes and burghs, should combine for the purpose of providing or maintaining and keeping efficient a school or schools common to such parishes or burghs or parishes and burghs, they may, after such inquiry and notice as shall seem proper, send the said school boards a requisition requiring them to combine for the purpose of providing or maintaining, and keeping efficient such school or schools, upon terms and conditions set forth in such requisition; and the said school boards shall comply with such requisition without undue delay, and if they fail they may be summarily compelled to do so by the Court of Session, on a petition and complaint at the instance of the Lord Advocate; and for the more efficient and economical working of this Act in those districts which have no public school or schools in their own district, the Scotch Education Department shall have power to combine under one board such district or districts with an adjoining district, whether burghal or landward, or partly burghal and partly landward, upon such terms and conditions as may seem to such department reasonable.

Mode of procedure and expenses of prosecutions.

14. Section twenty-three of the Education (Scotland) Act, 1878, is hereby repealed, and in lieu thereof it is enacted as follows:

Every prosecution for penalties, or for the purpose of obtaining any order under the Education Acts, or for the purpose of obtaining or enforcing an attendance order under this Act, may take place before a court of summary jurisdiction (whose decision shall be final,

but subject to the provisions of the Summary Prosecutions Appeals (Scotland) Act, 1875,) under the provisions of the Summary Jurisdiction Acts, and in any such prosecution any person appointed by the school board, or any inspector or sub-inspector of factories, workshops, or mines, as the case may be, may appear before the court and conduct the prosecution.

It shall not be lawful to award expenses against (1) any person appointed by a school board to prosecute, whether that person is or is not a procurator fiscal; or (2) against any inspector or sub-inspector acting under the Acts regulating factories, workshops, or mines respectively.

Where a prosecution, as in this section mentioned, is instituted by a school board before a court of summary jurisdiction, no member of such school board shall be qualified to act as a member of such court.

Construction of this Act with other enactments.

15. Where any act, neglect, or default is punishable under this Act, and also under any other enactment, proceedings may be instituted in respect of such act, neglect, or default under this Act or such other enactment, so that proceedings under one enactment only be instituted in respect of the same act, neglect, or default.

CHAPTER 57.

An Act to amend and consolidate the Law relating to Patents for Inventions, Registration of Designs, and of Trade Marks. [25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I. PRELIMINARY.

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Patents, Designs, and Trade Marks Act, 1883.

Division of Act into parts.

2. This Act is divided into parts, as follows:—

Part I.—PRELIMINARY.
Part II.—PATENTS.
Part III.—DESIGNS.
Part IV.—TRADE MARKS.
Part V.—GENERAL.

Commencement of Act.

3. This Act, except where it is otherwise expressed, shall commence from and immediately after the thirty-first day of December one thousand eight hundred and eighty-three.

PART II. PATENTS.

PART II.

PATENTS.

Application for and Grant of Patent.

Persons entitled to apply for patent.

4. (1.) Any person, whether a British subject or not, may make an application for a patent.

(2.) Two or more persons may make a joint application for a patent, and a patent may be granted to them jointly.

Application and specification.

5. (1.) An application for a patent must be made in the form set forth in the First Schedule to this Act, or in such other form as may be from time to time prescribed; and must be left at, or sent by post to, the patent office in the prescribed manner.

(2.) An application must contain a declaration to the effect that the applicant is in possession of an invention, whereof he, or in the case of a joint application, one or more of the applicants, claims or claim to be the true and first inventor or inventors, and for which he or they desires or desire to obtain a patent; and must be accompanied by either a provisional or complete specification.

(3.) A provisional specification must describe the nature of the invention, and be accompanied by drawings, if required.

(4.) A complete specification, whether left on application or subsequently, must particularly describe and ascertain the nature of the invention, and in what manner it is to be performed, and must be accompanied by drawings, if required.

(5.) A specification, whether provisional or complete, must commence with the title, and in the case of a complete specification must end with a distinct statement of the invention claimed.

Reference of application to examiner.

6. The comptroller shall refer every application to an examiner, who shall ascertain and report to the comptroller whether the nature of the invention has been fairly described, and the application, specification, and drawings (if any) have been prepared in the prescribed manner, and the title sufficiently indicates the subject matter of the invention.

Power for comptroller to refuse application or require amendment.

7. (1.) If the examiner reports that the nature of the invention is not fairly described, or that the application specification or drawings has not or have not been prepared in the prescribed manner, or that the title does not sufficiently indicate the subject matter of the invention, the comptroller may require that the application specification or drawings be amended before he proceeds with the application.

(2.) Where the comptroller requires an amendment, the applicant may appeal from his decision to the law officer.

(3.) The law officer shall, if required, hear the applicant and the comptroller, and may make an order determining whether and subject to what conditions, if any, the application shall be accepted.

(4.) The comptroller shall, when an application has been accepted, give notice thereof to the applicant.

(5.) If after an application has been made, but before a patent has been sealed, an application is made, accompanied by a specification bearing the same or a similar title, it shall be the duty of the examiner to report to the comptroller whether the specification appears to him to comprise the same invention; and, if he reports in the affirmative, the comptroller shall give notice to the applicants that he has so reported.

(6.) Where the examiner reports in the affirmative, the comptroller may determine, subject to an appeal to the law officer, whether the invention comprised in both applications is the same, and if so he may refuse to seal a patent on the application of the second applicant.

PART II. PATENTS.

Time for leaving complete specification.

8. (1.) If the applicant does not leave a complete specification with his application, he may leave it at any subsequent time within nine months from the date of application.

(2.) Unless a complete specification is left within that time the application shall be deemed to be abandoned.

Comparison of provisional and complete specification.

9. (1.) Where a complete specification is left after a provisional specification, the comptroller shall refer both specifications to an examiner for the purpose of ascertaining whether the complete specification has been prepared in the prescribed manner, and whether the invention particularly described in the complete specification is substantially the same as that which is described in the provisional specification.

(2.) If the examiner reports that the conditions herein-before contained have not been complied with, the comptroller may refuse to accept the complete specification unless and until the same shall have been amended to his satisfaction; but any such refusal shall be subject to appeal to the law officer.

(3.) The law officer shall, if required, hear the applicant and the comptroller, and may make an order determining whether and subject to what conditions, if any, the complete specification shall be accepted.

(4.) Unless a complete specification is accepted within twelve months from the date of application, then (save in the case of an appeal having been lodged against the refusal to accept) the application shall, at the expiration of those twelve months, become void.

(5.) Reports of examiners shall not in any case be published or be open to public inspection, and shall not be liable to production or inspection in any legal proceeding, other than an appeal to the law officer under this Act, unless the court or officer having power to order discovery in such legal proceeding shall certify that such production or inspection is desirable in the interests of justice, and ought to be allowed.

Advertisement on acceptance of complete specification.

10. On the acceptance of the complete specification the comptroller shall advertise the acceptance; and the application and specification or specifications with the drawings (if any) shall be open to public inspection.

Opposition to grant of patent.

11. (1.) Any person may at any time within two months from the date of the advertisement of the acceptance of a complete specification give notice at the patent office of opposition to the grant of the patent on the ground of the applicant having obtained the invention from him, or from a person of whom he is the legal representative, or on the ground that the invention has been patented in this country on an application of prior date, or on the ground of an examiner having reported to the comptroller that the specification appears to him to comprise the same invention as is comprised in a specification bearing the same or a similar title and accompanying a previous application, but on no other ground.

(2.) Where such notice is given the comptroller shall give notice of the opposition to the applicant, and shall, on the expiration of those two months, after hearing the applicant and the person so giving notice, if desirous of being heard, decide on the case, but subject to appeal to the law officer.

(3.) The law officer shall, if required, hear the applicant and any person so giving notice and being, in the opinion of the law officer, entitled to be heard in opposition to the grant, and shall determine whether the grant ought or ought not to be made.

(4.) The law officer may, if he thinks fit, obtain the assistance of an expert, who shall be paid such remuneration as the law officer, with the consent of the Treasury, shall appoint.

Sealing of patent.

12. (1.) If there is no opposition, or, in case of opposition, if the determination is in favour of the grant of a patent, the comptroller shall cause a patent to be sealed with the seal of the patent office.

(2.) A patent so sealed shall have the same effect as if it were sealed with the Great Seal of the United Kingdom.

(3.) A patent shall be sealed as soon as may be, and not after the expiration of fifteen months from the date of application, except in the cases herein-after mentioned, that is to say—

(*a.*) Where the sealing is delayed by an appeal to the law officer, or by opposition to the grant of the patent, the patent may be sealed at such time as the law officer may direct.

(*b.*) If the person making the application dies before the expiration of the fifteen months aforesaid, the patent may be granted to his legal representative and sealed at any time within twelve months after the death of the applicant.

Date of patent.

13. Every patent shall be dated and sealed as of the day of the application: Provided that no proceedings shall be taken in respect of an infringement committed before the publication of the complete specification: Provided also, that in case of more than one application for a patent for the same invention, the sealing of a patent on one of those applications shall not prevent the sealing of a patent on an earlier application.

Provisional Protection.

Provisional protection.

14. Where an application for a patent in respect of an invention has been accepted, the invention may during the period between the date of the application and the date of sealing such patent be used and published without prejudice to the patent to be granted for the same; and such protection from the consequences of use and publication is in this Act referred to as provisional protection.

Protection by Complete Specification.

Effect of acceptance of complete specification.

15. After the acceptance of a complete specification and until the date of sealing a patent in respect thereof, or the expiration of the time for sealing, the applicant shall have the like privileges and rights as if a patent for the invention had been sealed on the date of the acceptance of the complete specification: Provided that an applicant shall not be entitled to institute any proceeding for infringement unless and until a patent for the invention has been granted to him.

Patent.

Extent of patent.

16. Every patent when sealed shall have effect throughout the United Kingdom and the Isle of Man.

Term of patent.

17. (1.) The term limited in every patent for the duration thereof shall be fourteen years from its date.

(2.) But every patent shall, notwithstanding anything therein or in this Act, cease if the patentee fails to make the prescribed payments within the prescribed times.

(3.) If, nevertheless, in any case, by accident mistake or inadvertence, a patentee fails to make any prescribed payment within the prescribed time, he may apply to the comptroller for an enlargement of the time for making that payment.

(4.) Thereupon the comptroller shall, if satisfied that the failure has arisen from any of the above-mentioned causes, on receipt of the prescribed fee for enlargement, not exceeding ten pounds, enlarge the time accordingly, subject to the following conditions:

(*a.*) The time for making any payment shall not in any case be enlarged for more than three months.

(*b.*) If any proceeding shall be taken in respect of an infringement of the patent committed after a failure to make any payment within the prescribed time, and before the enlargement thereof, the Court before which the proceeding is proposed to be taken may, if it shall think fit, refuse to award or give any damages in respect of such infringement.

Amendment of Specification.

Amendment of specification.

18. (1.) An applicant or a patentee may, from time to time, by request in writing left at the patent office, seek leave to amend his specification, including drawings forming part thereof, by way of disclaimer, correction, or explanation, stating the nature of such amendment and his reasons for the same.

(2.) The request and the nature of such proposed amendment shall be advertised in the prescribed manner, and at any time within one month from its first advertisement any person may give notice at the patent office of opposition to the amendment.

(3.) Where such notice is given the comptroller shall give notice of the opposition to the person making the request, and shall hear and decide the case subject to an appeal to the law officer.

(4.) The law officer shall, if required, hear the person making the request and the person so giving notice, and being in the opinion of the law officer entitled to be heard in opposition to the request, and shall determine whether and subject to what conditions, if any, the amendment ought to be allowed.

(5.) Where no notice of opposition is given, or the person so giving notice does not appear, the comptroller shall determine whether and subject to what conditions, if any, the amendment ought to be allowed.

(6.) When leave to amend is refused by the comptroller, the person making the request may appeal from his decision to the law officer.

(7.) The law officer shall, if required, hear the person making the request and the comptroller, and may make an order determining whether, and subject to what conditions, if any, the amendment ought to be allowed.

(8.) No amendment shall be allowed that would make the specification, as amended, claim an invention substantially larger than or substantially different from the invention claimed by the specification as it stood before amendment.

(9.) Leave to amend shall be conclusive as to the right of the party to make the amendment allowed, except in case of fraud; and the amendment shall in all courts and for all purposes be deemed to form part of the specification.

(10.) The foregoing provisions of this section do not apply when and so long as any action for infringement or other legal proceeding in relation to a patent is pending.

Power to disclaim part of invention during action, &c.

19. (1.) In an action for infringement of a patent, and in a proceeding for revocation of a patent, the Court or a judge may at any time order that the patentee shall, subject to such terms as to costs and otherwise as the Court or a judge may impose, be at liberty to apply at the Patent Office for leave to amend his specification by way of disclaimer, and may direct that in the meantime the trial or hearing of the action shall be postponed.

Restriction on recovery of damages.

20. Where an amendment by way of disclaimer, correction, or explanation, has been allowed under this Act, no damages shall be given in any action in respect of the use of the invention before the disclaimer, correction, or explanation, unless the patentee establishes to the satisfaction of the Court that his original claim was framed in good faith and with reasonable skill and knowledge.

Advertisement of amendment.

21. Every amendment of a specification shall be advertised in the prescribed manner.

Compulsory Licenses.

Power for Board to order grant of licenses.

22. If on the petition of any person interested it is proved to the Board of Trade that by reason of the default of a patentee to grant licenses on reasonable terms—

(*a.*) The patent is not being worked in the United Kingdom; or

(*b.*) The reasonable requirements of the public with respect to the invention cannot be supplied; or

(*c.*) Any person is prevented from working or using to the best advantage an invention of which he is possessed,

the Board may order the patentee to grant licenses on such terms as to the amount of royalties, security for payment, or otherwise, as the Board, having regard to the nature of the invention and the circumstances of the case, may deem just, and any such order may be enforced by mandamus.

Register of Patents.

Register of patents.

23. (1.) There shall be kept at the patent office a book called the Register of Patents, wherein shall be entered the names and addresses of grantees of patents, notifications of assignments and of transmissions of patents, of licenses under patents, and of amendments, extensions, and revocations of patents, and such other matters affecting the validity or proprietorship of patents as may from time to time be prescribed.

(2.) The register of patents shall be primâ facie evidence of any matters by this Act directed or authorised to be inserted therein.

(3.) Copies of deeds, licenses, and any other documents affecting the proprietorship in any letters patent or in any license thereunder, must be supplied to the comptroller in the prescribed manner for filing in the Patent Office.

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Fees.

Fees in schedule.

24. (1.) There shall be paid in respect of the several instruments described in the Second Schedule to this Act, the fees in that schedule mentioned, and there shall likewise be paid, in respect of other matters under this part of the Act, such fees as may be from time to time, with the sanction of the Treasury, prescribed by the Board of Trade; and such fees shall be levied and paid to the account of Her Majesty's Exchequer in such manner as the Treasury may from time to time direct.

(2.) The Board of Trade may from time to time, if they think fit, with the consent of the Treasury, reduce any of those fees.

Extension of Term of Patent.

Extension of term of patent on petition to Queen in Council.

25. (1.) A patentee may, after advertising in manner directed by any rules made under this section his intention to do so, present a petition to Her Majesty in Council, praying that his patent may be extended for a further term; but such petition must be presented at least six months before the time limited for the expiration of the patent.

(2.) Any person may enter a caveat, addressed to the Registrar of the Council at the Council Office, against the extension.

(3.) If Her Majesty shall be pleased to refer any such petition to the Judicial Committee of the Privy Council, the said Committee shall proceed to consider the same, and the petitioner and any person who has entered a caveat shall be entitled to be heard by himself or by counsel on the petition.

(4.) The Judicial Committee shall, in considering their decision, have regard to the nature and merits of the invention in relation to the public, to the profits made by the patentee as such, and to all the circumstances of the case.

(5.) If the Judicial Committee report that the patentee has been inadequately remunerated by his patent, it shall be lawful for Her Majesty in Council to extend the term of the patent for a further term not exceeding seven, or in exceptional cases fourteen, years; or to order the grant of a new patent for the term therein mentioned, and containing any restrictions, conditions, and provisions that the Judicial Committee may think fit.

(6.) It shall be lawful for Her Majesty in Council to make, from time to time, rules of procedure and practice for regulating proceedings on such petitions, and subject thereto such proceedings shall be regulated according to the existing procedure and practice in patent matters of the Judicial Committee.

(7.) The costs of all parties of and incident to such proceedings shall be in the discretion of the Judicial Committee; and the orders of the Committee respecting costs shall be enforceable as if they were orders of a division of the High Court of Justice.

Revocation.

Revocation of patent.

26. (1.) The proceeding by scire facias to repeal a patent is hereby abolished.

(2.) Revocation of a patent may be obtained on petition to the Court.

(3.) Every ground on which a patent might, at the commencement of this Act, be repealed by scire facias shall be available by way of defence to an action of infringement and shall also be a ground of revocation.

(4.) A petition for revocation of a patent may be presented by—

(*a.*) The Attorney-General in England or Ireland, or the Lord Advocate in Scotland:

(*b.*) Any person authorised by the Attorney-General in England or Ireland, or the Lord Advocate in Scotland:

(*c.*) Any person alleging that the patent was obtained in fraud of his rights, or of the rights of any person under or through whom he claims:

(*d.*) Any person alleging that he, or any person under or through whom he claims, was the true inventor of any invention included in the claim of the patentee:

(*e.*) Any person alleging that he, or any person under or through whom he claims an interest in any trade, business, or manufacture, had publicly manufactured, used, or sold, within this realm, before the date of the patent, anything claimed by the patentee as his invention.

(5.) The plaintiff must deliver with his petition particulars of the objections on which he means to rely, and no evidence shall, except by leave of the Court or a judge, be admitted in proof of any objection of which particulars are not so delivered.

(6.) Particulars delivered may be from time to time amended by leave of the Court or a judge.

(7.) The defendant shall be entitled to begin, and give evidence in support of the patent, and if the plaintiff gives evidence impeaching the validity of the patent the defendant shall be entitled to reply.

(8.) Where a patent has been revoked on the ground of fraud, the comptroller may, on the application of the true inventor made in accordance with the provisions of this Act, grant to him a patent in lieu of and bearing the same date as the date of revocation of the patent so revoked, but the patent so granted shall cease on the expiration of the term for which the revoked patent was granted.

Crown.

Patent to bind Crown.

27. (1.) A patent shall have to all intents the like effect as against Her Majesty the Queen, her heirs and successors, as it has against a subject.

(2.) But the officers or authorities administering any department of the service of the Crown may, by themselves, their agents, contractors, or others, at any time after the application, use the invention for the services of the Crown on terms to be before or after the use thereof agreed on, with the approval of the Treasury, between those officers or authorities and the patentee, or, in default of such agreement, on such terms as may be settled by the Treasury after hearing all parties interested.

Legal Proceedings.

Hearing with assessor.

28. (1.) In an action or proceeding for infringement or revocation of a patent, the Court may, if it thinks fit, and shall, on the request

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of either of the parties to the proceeding, call in the aid of an assessor specially qualified, and try and hear the case wholly or partially with his assistance; the action shall be tried without a jury unless the court shall otherwise direct.

(2.) The Court of Appeal or the Judicial Committee of the Privy Council may, if they see fit, in any proceeding before them respectively, call in the aid of an assessor as aforesaid.

(3.) The remuneration, if any, to be paid to an assessor under this section shall be determined by the Court or the Court of Appeal or Judicial Committee, as the case may be, and be paid in the same manner as the other expenses of the execution of this Act.

Delivery of particulars.

29. (1.) In an action for infringement of a patent the plaintiff must deliver with his statement of claim, or by order of the Court or the judge, at any subsequent time, particulars of the breaches complained of.

(2.) The defendant must deliver with his statement of defence, or, by order of the Court or a judge, at any subsequent time, particulars of any objections on which he relies in support thereof.

(3.) If the defendant disputes the validity of the patent, the particulars delivered by him must state on what grounds he disputes it, and if one of those grounds is want of novelty must state the time and place of the previous publication or user alleged by him.

(4.) At the hearing no evidence shall, except by leave of the Court or a judge, be admitted in proof of any alleged infringement or objection of which particulars are not so delivered.

(5.) Particulars delivered may be from time to time amended, by leave of the Court or a judge.

(6.) On taxation of costs regard shall be had to the particulars delivered by the plaintiff and by the defendant; and they respectively shall not be allowed any costs in respect of any particular delivered by them unless the same is certified by the Court or a judge to have been proven or to have been reasonable and proper, without regard to the general costs of the case.

Order for inspection, &c., in action.

30. In an action for infringement of a patent, the Court or a judge may on the application of either party make such order for an injunction inspection or account, and impose such terms and give such directions respecting the same and the proceedings thereon as the Court or a judge may see fit.

Certificate of validity questioned and costs thereon.

31. In an action for infringement of a patent, the Court or a judge may certify that the validity of the patent came in question; and if the Court or a judge so certifies, then in any subsequent action for infringement, the plaintiff in that action on obtaining a final order or judgment in his favour shall have his full costs charges and expenses as between solicitor and client, unless the Court or judge trying the action certifies that he ought not to have the same.

Remedy in case of groundless threats of legal proceedings.

32. Where any person claiming to be the patentee of an invention, by circulars advertisements or otherwise threatens any other person with any legal proceedings or liability in respect of any alleged manufacture use sale or purchase of the invention, any person or persons aggrieved thereby may bring an action against him, and may obtain an injunction against the continuance of such threats, and may recover such damage (if any) as may have been sustained

thereby, if the alleged manufacture, use, sale, or purchase to which the threats related was not in fact an infringement of any legal rights of the person making such threats: Provided that this section shall not apply if the person making such threats with due diligence commences and prosecutes an action for infringement of his patent.

Miscellaneous.

Patent for one invention only.

33. Every patent may be in the form in the First Schedule to this Act, and shall be granted for one invention only, but may contain more than one claim; but it shall not be competent for any person in an action or other proceeding to take any objection to a patent on the ground that it comprises more than one invention.

Patent on application of representative of deceased inventor.

34. (1.) If a person possessed of an invention dies without making application for a patent for the invention, application may be made by, and a patent for the invention granted to, his legal representative.

(2.) Every such application must be made within six months of the decease of such person, and must contain a declaration by the legal representative that he believes such person to be the true and first inventor of the invention.

Patent to first inventor not invalidated by application in fraud of him.

35. A patent granted to the true and first inventor shall not be invalidated by an application in fraud of him, or by provisional protection obtained thereon, or by any use or publication of the invention subsequent to that fraudulent application during the period of provisional protection.

Assignment for particular places.

36. A patentee may assign his patent for any place in or part of the United Kingdom, or Isle of Man, as effectually as if the patent were originally granted to extend to that place or part only.

Loss or destruction of patent.

37. If a patent is lost or destroyed, or its non-production is accounted for to the satisfaction of the comptroller, the comptroller may at any time cause a duplicate thereof to be sealed.

Proceedings and costs before law officer.

38. The law officers may examine witnesses on oath and administer oaths for that purpose under this part of this Act, and may from time to time make, alter, and rescind rules regulating references and appeals to the law officers and the practice and procedure before them under this part of this Act; and in any proceeding before either of the law officers under this part of this Act, the law officer may order costs to be paid by either party, and any such order may be made a rule of the Court.

Exhibition at industrial or international exhibition not to prejudice patent rights.

39. The exhibition of an invention at an industrial or international exhibition, certified as such by the Board of Trade, or the publication of any description of the invention during the period of the holding of the exhibition, or the use of the invention for the purpose of the exhibition in the place where the exhibition is held, or the use of the invention during the period of the holding of the exhibition by any person elsewhere, without the privity or consent of the inventor, shall not prejudice the right of the inventor or his legal personal representative to apply for and obtain provisional protection and a patent in respect of the invention or the validity of any patent granted on the application, provided that both the following conditions are complied with, namely,—

(*a.*) The exhibitor must, before exhibiting the invention, give the comptroller the prescribed notice of his intention to do so; and

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(*b.*) The application for a patent must be made before or within six months from the date of the opening of the exhibition.

Publication of illustrated journal, indexes, &c.

40. (1.) The comptroller shall cause to be issued periodically an illustrated journal of patented inventions, as well as reports of patent cases decided by courts of law, and any other information that the comptroller may deem generally useful or important.

(2.) Provision shall be made by the comptroller for keeping on sale copies of such journal, and also of all complete specifications of patents for the time being in force, with their accompanying drawings, if any.

(3.) The comptroller shall continue, in such form as he may deem expedient, the indexes and abridgments of specifications hitherto published, and shall from time to time prepare and publish such other indexes, abridgments of specifications, catalogues, and other works relating to inventions, as he may see fit.

Patent Museum.

41. The control and management of the existing Patent Museum, and its contents shall from and after the commencement of this Act, be transferred to and vested in the Department of Science and Art, subject to such directions as Her Majesty in Council may see fit to give.

Power to require models on payment.

42. The Department of Science and Art may at any time require a patentee to furnish them with a model of his invention on payment to the patentee of the cost of the manufacture of the model; the amount to be settled, in case of dispute, by the Board of Trade.

Foreign vessels in British waters.

43. (1.) A patent shall not prevent the use of an invention for the purposes of the navigation of a foreign vessel within the jurisdiction of any of Her Majesty's Courts in the United Kingdom, or Isle of Man, or the use of an invention in a foreign vessel within that jurisdiction, provided it is not used therein for or in connexion with the manufacture or preparation of anything intended to be sold in or exported from the United Kingdom or Isle of Man.

(2.) But this section shall not extend to vessels of any foreign state of which the laws authorise subjects of such foreign state, having patents or like privileges for the exclusive use or exercise of inventions within its territories, to prevent or interfere with the use of such inventions in British vessels while in the ports of such foreign state, or in the waters within the jurisdiction of its courts, where such inventions are not so used for the manufacture or preparation of anything intended to be sold in or exported from the territories of such foreign state.

Assignment to Secretary for War of certain inventions.

44. (1.) The inventor of any improvement in instruments or munitions of war, his executors, administrators, or assigns (who are in this section comprised in the expression the inventor) may (either for or without valuable consideration) assign to Her Majesty's Principal Secretary of State for the War Department (herein-after referred to as the Secretary of State), on behalf of Her Majesty, all the benefit of the invention and of any patent obtained or to be obtained for the same; and the Secretary of State may be a party to the assignment.

(2.) The assignment shall effectually vest the benefit of the invention and patent in the Secretary of State for the time being on behalf of Her Majesty, and all covenants and agreements therein contained for keeping the invention secret and otherwise shall be

valid and effectual (notwithstanding any want of valuable consideration), and may be enforced accordingly by the Secretary of State for the time being.

(3.) Where any such assignment has been made to the Secretary of State, he may at any time before the application for a patent for the invention, or before publication of the specification or specifications, certify to the comptroller his opinion that, in the interest of the public service, the particulars of the invention and of the manner in which it is to be performed should be kept secret.

(4.) If the Secretary of State so certifies, the application and specification or specifications with the drawings (if any), and any amendment of the specification or specifications, and any copies of such documents and drawings, shall, instead of being left in the ordinary manner at the patent office, be delivered to the comptroller in a packet sealed by authority of the Secretary of State.

(5.) Such packet shall until the expiration of the term or extended term during which a patent for the invention may be in force, be kept sealed by the comptroller, and shall not be opened save under the authority of an order of the Secretary of State, or of the law officers.

(6.) Such sealed packet shall be delivered at any time during the continuance of the patent to any person authorised by writing under the hand of the Secretary of State to receive the same, and shall if returned to the comptroller be again kept sealed by him.

(7.) On the expiration of the term or extended term of the patent, such sealed packet shall be delivered to any person authorised by writing under the hand of the Secretary of State to receive it.

(8.) Where the Secretary of State certifies as aforesaid, after an application for a patent has been left at the patent office, but before the publication of the specification or specifications, the application specification or specifications, with the drawings (if any), shall be forthwith placed in a packet sealed by authority of the comptroller, and such packet shall be subject to the foregoing provisions respecting a packet sealed by authority of the Secretary of State.

(9.) No proceeding by petition or otherwise shall lie for revocation of a patent granted for an invention in relation to which the Secretary of State has certified as aforesaid.

(10.) No copy of any specification or other document or drawing, by this section required to be placed in a sealed packet, shall in any manner whatever be published or open to the inspection of the public, but save as in this section otherwise directed, the provisions of this part of this Act shall apply in respect of any such invention and patent as aforesaid.

(11.) The Secretary of State may, at any time by writing under his hand, waive the benefit of this section with respect to any particular invention, and the specifications documents and drawings shall be thenceforth kept and dealt with in the ordinary way.

(12.) The communication of any invention for any improvement in instruments or munitions of war to the Secretary of State, or to any person or persons authorised by him to investigate the same or the merits thereof, shall not, nor shall anything done for the purposes of the investigation, be deemed use or publication of such

PART II. PATENTS.

invention so as to prejudice the grant or validity of any patent for the same.

Existing Patents.

Provisions respecting existing patents.

45. (1.) The provisions of this Act relating to applications for patents and proceedings thereon shall have effect in respect only of applications made after the commencement of this Act.

(2.) Every patent granted before the commencement of this Act, or on an application then pending, shall remain unaffected by the provisions of this Act relating to patents binding the Crown, and to compulsory licenses.

(3.) In all other respects (including the amount and time of payment of fees) this Act shall extend to all patents granted before the commencement of this Act, or on applications then pending, in substitution for such enactments as would have applied thereto if this Act had not been passed.

(4.) All instruments relating to patents granted before the commencement of this Act required to be left or filed in the Great Seal Patent Office shall be deemed to be so left or filed if left or filed before or after the commencement of this Act in the patent office.

Definitions.

Definitions of patent, patentee, and invention.

46. In and for the purposes of this Act—

"Patent" means letters patent for an invention:

"Patentee" means the person for the time being entitled to the benefit of a patent:

"Invention" means any manner of new manufacture the subject of letters patent and grant of privilege within section six of the Statute of Monopolies (that is, the Act of the twenty-first year of the reign of King James the First, chapter three, intituled "An "Act concerning monopolies and dispensations with penal laws and "the forfeiture thereof"), and includes an alleged invention.

In Scotland "injunction" means "interdict."

PART III. DESIGNS.

PART III.

DESIGNS.

Registration of Designs.

Application for registration of designs.

47. (1.) The comptroller may, on application by or on behalf of any person claiming to be the proprietor of any new or original design not previously published in the United Kingdom, register the design under this part of this Act.

(2.) The application must be made in the form set forth in the First Schedule to this Act, or in such other form as may be from time to time prescribed, and must be left at, or sent by post to, the patent office in the prescribed manner.

(3.) The application must contain a statement of the nature of the design, and the class or classes of goods in which the applicant desires that the design be registered.

(4.) The same design may be registered in more than one class.

(5.) In case of doubt as to the class in which a design ought to be registered, the comptroller may decide the question.

(6.) The comptroller may, if he thinks fit, refuse to register any design presented to him for registration, but any person aggrieved by any such refusal may appeal therefrom to the Board of Trade.

(7.) The Board of Trade shall, if required, hear the applicant and the comptroller, and may make an order determining whether, and subject to what conditions, if any, registration is to be permitted.

Drawings, &c. to be furnished on application.

48. (1.) On application for registration of a design the applicant shall furnish to the comptroller the prescribed number of copies of drawings photographs or tracings of the design sufficient, in the opinion of the comptroller, for enabling him to identify the design; or the applicant may, instead of such copies, furnish exact representations or specimens of the design.

(2.) The comptroller may, if he thinks fit, refuse any drawing photograph tracing representation or specimen which is not, in his opinion, suitable for the official records.

Certificate of registration.

49. (1.) The comptroller shall grant a certificate of registration to the proprietor of the design when registered.

(2.) The comptroller may, in case of loss of the original certificate, or in any other case in which he deems it expedient, grant a copy or copies of the certificate.

Copyright in registered Designs.

Copyright on registration.

50. (1.) When a design is registered, the registered proprietor of the design shall, subject to the provisions of this Act, have copyright in the design during five years from the date of registration.

(2.) Before delivery on sale of any articles to which a registered design has been applied, the proprietor must (if exact representations or specimens were not furnished on the application for registration), furnish to the comptroller the prescribed number of exact representations or specimens of the design; and if he fails to do so, the comptroller may erase his name from the register, and thereupon his copyright in the design shall cease.

Marking registered designs.

51. Before delivery on sale of any articles to which a registered design has been applied, the proprietor of the design shall cause each such article to be marked with the prescribed mark, or with the prescribed word or words or figures, denoting that the design is registered; and if he fails to do so the copyright in the design shall cease, unless the proprietor shows that he took all proper steps to ensure the marking of the article.

Inspection of registered designs.

52. (1.) During the existence of copyright in a design, the design shall not be open to inspection except by the proprietor, or a person authorised in writing by the proprietor, or a person authorised by the comptroller or by the court, and furnishing such information as may enable the comptroller to identify the design, nor except in the presence of the comptroller, or of an officer acting under him, nor except on payment of the prescribed fee; and the person making the inspection shall not be entitled to take any copy of the design, or of any part thereof.

(2.) When the copyright in a design has ceased, the design shall be open to inspection, and copies thereof may be taken by any person on payment of the prescribed fee.

Information as to existence of copyright.

53. On the request of any person producing a particular design, together with its mark of registration, or producing only its mark

PART III. DESIGNS.

of registration, or furnishing such information as may enable the comptroller to identify the design, and on payment of the prescribed fee, it shall be the duty of the comptroller to inform such person whether the registration still exists in respect of such design, and if so, in respect of what class or classes of goods, and stating also the date of registration, and the name and address of the registered proprietor.

Cesser of copyright in certain events.

54. If a registered design is used in manufacture in any foreign country and is not used in this country within six months of its registration in this country, the copyright in the design shall cease.

Register of Designs.

Register of designs.

55. (1.) There shall be kept at the patent office a book called the Register of Designs wherein shall be entered the names and addresses of proprietors of registered designs, notifications of assignments and of transmissions of registered designs, and such other matters as may from time to time be prescribed.

(2.) The register of designs shall be primâ facie evidence of any matters by this Act directed or authorised to be entered therein.

Fees.

Fees on registration, &c.

56. There shall be paid in respect of applications and registration and other matters under this part of this Act such fees as may be from time to time, with the sanction of the Treasury, prescribed by the Board of Trade; and such fees shall be levied and paid to the account of Her Majesty's Exchequer in such manner as the Treasury shall from time to time direct.

Industrial and International Exhibitions.

Exhibition at industrial or international exhibition not to prevent or invalidate registration.

57. The exhibition at an industrial or international exhibition, certified as such by the Board of Trade, or the exhibition elsewhere during the period of the holding of the exhibition, without the privity or consent of the proprietor, of a design, or of any article to which a design is applied, or the publication, during the holding of any such exhibition, of a description of a design, shall not prevent the design from being registered, or invalidate the registration thereof, provided that both the following conditions are complied with; namely,—

(*a.*) The exhibitor must, before exhibiting the design or article, or publishing a description of the design, give the comptroller the prescribed notice of his intention to do so; and

(*b.*) The application for registration must be made before or within six months from the date of the opening of the exhibition.

Legal Proceedings.

Penalty on piracy of registered design.

58. During the existence of copyright in any design—

(*a.*) It shall not be lawful for any person without the license or written consent of the registered proprietor to apply such design or any fraudulent or obvious imitation thereof, in the class or classes of goods in which such design is registered, for purposes of sale to any article of manufacture or to any sub-

stance artificial or natural or partly artificial and partly natural; and

(*b.*) It shall not be lawful for any person to publish or expose for sale any article of manufacture or any substance to which such design or any fraudulent or obvious imitation thereof shall have been so applied, knowing that the same has been so applied without the consent of the registered proprietor.

Any person who acts in contravention of this section shall be liable for every offence to forfeit a sum not exceeding fifty pounds to the registered proprietor of the design, who may recover such sum as a simple contract debt by action in any court of competent jurisdiction.

Action for damages.

59. Notwithstanding the remedy given by this Act for the recovery of such penalty as aforesaid, the registered proprietor of any design may (if he elects to do so) bring an action for the recovery of any damages arising from the application of any such design, or of any fraudulent or obvious imitation thereof for the purpose of sale, to any article of manufacture or substance, or from the publication sale or exposure for sale by any person of any article or substance to which such design or any fraudulent or obvious imitation thereof shall have been so applied, such person knowing that the proprietor had not given his consent to such application.

Definitions.

60. In and for the purposes of this Act—

Definition of "design," "copyright."

"Design" means any design applicable to any article of manufacture, or to any substance artificial or natural, or partly artificial and partly natural, whether the design is applicable for the pattern, or for the shape or configuration, or for the ornament thereof, or for any two or more of such purposes, and by whatever means it is applicable, whether by printing, painting, embroidering, weaving, sewing, modelling, casting, embossing, engraving, staining, or any other means whatever, manual, mechanical, or chemical, separate or combined, not being a design for a sculpture, or other thing within the protection of the Sculpture Copyright Act of the year 1814 (fifty-fourth George the Third, chapter fifty-six).

"Copyright" means the exclusive right to apply a design to any article of manufacture or to any such substance as aforesaid in the class or classes in which the design is registered.

Definition of proprietor.

61. The author of any new and original design shall be considered the proprietor thereof, unless he executed the work on behalf of another person for a good or valuable consideration, in which case such person shall be considered the proprietor, and every person acquiring for a good or valuable consideration a new and original design, or the right to apply the same to any such article or substance as aforesaid, either exclusively of any other person or otherwise, and also every person on whom the property in such design or such right to the application thereof shall devolve, shall be considered the proprietor of the design in the respect in which the same may have been so acquired, and to that extent, but not otherwise.

PART IV. TRADE MARKS.

PART IV.

TRADE MARKS.

Registration of Trade Marks.

Application for registration.

62. (1.) The comptroller may, on application by or on behalf of any person claiming to be the proprietor of a trade mark, register the trade mark.

(2.) The application must be made in the form set forth in the First Schedule to this Act, or in such other form as may be from time to time prescribed, and must be left at, or sent by post to, the Patent Office in the prescribed manner.

(3.) The application must be accompanied by the prescribed number of representations of the trade mark, and must state the particular goods or classes of goods in connexion with which the applicant desires the trade mark to be registered.

(4.) The comptroller may, if he thinks fit, refuse to register a trade mark, but any such refusal shall be subject to appeal to the Board of Trade, who shall, if required, hear the applicant and the comptroller, and may make an order determining whether, and subject to what conditions, if any, registration is to be permitted.

(5.) The Board of Trade may, however, if it appears expedient, refer the appeal to the Court; and in that event the Court shall have jurisdiction to hear and determine the appeal and may make such order as aforesaid.

Limit of time for proceeding with application.

63. Where registration of a trade mark has not been or shall not be completed within twelve months from the date of the application, by reason of default on the part of the applicant, the application shall be deemed to be abandoned.

Conditions of registration of trade mark.

64. (1.) For the purposes of this Act, a trade mark must consist of or contain at least one of the following essential particulars:

(*a.*) A name of an individual or firm printed, impressed, or woven in some particular and distinctive manner; or

(*b.*) A written signature or copy of a written signature of the individual or firm applying for registration thereof as a trade mark; or

(*c.*) A distinctive device, mark, brand, heading, label, ticket, or fancy word or words not in common use.

(2.) There may be added to any one or more of these particulars any letters words or figures, or combination of letters words or figures, or of any of them.

(3.) Provided that any special and distinctive word or words, letter, figure, or combination of letters or figures or of letters and figures used as a trade mark before the thirteenth day of August one thousand eight hundred and seventy-five may be registered as a trade mark under this part of this Act.

Connexion of trade mark with goods.

65. A trade mark must be registered for particular goods or classes of goods.

Registration of a series of marks.

66. When a person claiming to be the proprietor of several trade marks which, while resembling each other in the material particulars thereof, yet differ in respect of (*a*) the statement of the goods for which they are respectively used or proposed to be used, or (*b*) statements of numbers, or (*c*) statements of price, or (*d*) statements of

quality, or (*e*) statements of names of places, seeks to register such trade marks, they may be registered as a series in one registration. A series of trade marks shall be assignable and transmissible only as a whole, but for all other purposes each of the trade marks composing a series shall be deemed and treated as registered separately.

Trade marks may be registered in any colour.

67. A trade mark may be registered in any colour, and such registration shall (subject to the provisions of this Act) confer on the registered owner the exclusive right to use the same in that or any other colour.

Advertisement of application.

68. Every application for registration of a trade mark under this part of this Act shall as soon as may be after its receipt be advertised by the comptroller.

Opposition to registration.

69. (1.) Any person may within two months of the first advertisement of the application, give notice in duplicate at the patent office of opposition to registration of the trade mark, and the comptroller shall send one copy of such notice to the applicant.

(2.) Within two months after receipt of such notice or such further time as the comptroller may allow, the applicant may send to the comptroller a counter statement in duplicate of the grounds on which he relies for his application, and if he does not do so, shall be deemed to have abandoned his application.

(3.) If the applicant sends such counter statement, the comptroller shall furnish a copy thereof to the person who gave notice of opposition, and shall require him to give security in such manner and to such amount as the comptroller may require for such costs as may be awarded in respect of such opposition; and if such security is not given within fourteen days after such requirement was made or such further time as the comptroller may allow, the opposition shall be deemed to be withdrawn.

(4.) If the person who gave notice of opposition duly gives such security as aforesaid, the comptroller shall inform the applicant thereof in writing, and thereupon the case shall be deemed to stand for the determination of the Court.

Assignment and transmission of trade mark.

70. A trade mark, when registered, shall be assigned and transmitted only in connexion with the goodwill of the business concerned in the particular goods or classes of goods for which it has been registered, and shall be determinable with that goodwill.

Conflicting claims to registration.

71. Where each of several persons claims to be registered as proprietor of the same trade mark, the comptroller may refuse to register any of them until their rights have been determined according to law, and the comptroller may himself submit or require the claimants to submit their rights to the Court.

Restrictions on registration.

72. (1.) Except where the Court has decided that two or more persons are entitled to be registered as proprietors of the same trade mark, the comptroller shall not register in respect of the same goods or description of goods a trade mark identical with one already on the register with respect to such goods or description of goods.

(2.) The comptroller shall not register with respect to the same goods or description of goods a trade mark so nearly resembling a trade mark already on the register with respect to such goods or description of goods as to be calculated to deceive.

Further restriction on registration.

73. It shall not be lawful to register as part of or in combination with a trade mark any words the exclusive use of which would by

PART IV. TRADE MARKS.

reason of their being calculated to deceive or otherwise, be deemed disentitled to protection in a court of justice, or any scandalous design.

Saving for power to provide for entry on register of common marks as additions to trade marks.

74. (1.) Nothing in this Act shall be construed to prevent the comptroller entering on the register, in the prescribed manner, and subject to the prescribed conditions, as an addition to any trade mark—

(*a.*) In the case of an application for registration of a trade mark used before the thirteenth day of August one thousand eight hundred and seventy-five—

Any distinctive device, mark, brand, heading, label, ticket, letter, word, or figure, or combination of letters, words, or figures, though the same is common to the trade in the goods with respect to which the application is made;

(*b.*) In the case of an application for registration of a trade mark not used before the thirteenth day of August one thousand eight hundred and seventy-five—

Any distinctive word or combination of words, though the same is common to the trade in the goods with respect to which the application is made;

(2.) The applicant for entry of any such common particular or particulars must, however, disclaim in his application any right to the exclusive use of the same, and a copy of the disclaimer shall be entered on the register.

(3.) Any device, mark, brand, heading, label, ticket, letter, word, figure, or combination of letters, words, or figures, which was or were, before the thirteenth day of August one thousand eight hundred and seventy-five, publicly used by more than three persons on the same or a similar description of goods shall, for the purposes of this section, be deemed common to the trade in such goods.

Effect of Registration.

Registration equivalent to public use.

75. Registration of a trade mark shall be deemed to be equivalent to public use of the trade mark.

Right of first proprietor to exclusive use of trade mark.

76. The registration of a person as proprietor of a trade mark shall be primâ facie evidence of his right to the exclusive use of the trade mark, and shall, after the expiration of five years from the date of the registration, be conclusive evidence of his right to the exclusive use of the trade mark, subject to the provisions of this Act.

Restrictions on actions for infringement, and on defence to action in certain cases.

77. A person shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement of a trade mark unless, in the case of a trade mark capable of being registered under this Act, it has been registered in pursuance of this Act, or of an enactment repealed by this Act, or, in the case of any other trade mark in use before the thirteenth of August one thousand eight hundred and seventy-five, registration thereof under this part of this Act, or of an enactment repealed by this Act, has been refused. The comptroller may, on request, and on payment of the prescribed fee, grant a certificate that such registration has been refused.

Register of Trade Marks.

Register of trade marks.

78. There shall be kept at the patent office a book called the Register of Trade Marks, wherein shall be entered the names and addresses of proprietors of registered trade marks, notifications of assignments and of transmissions of trade marks, and such other matters as may be from time to time prescribed.

Removal of trade mark after fourteen years unless fee paid.

79. (1.) At a time not being less than two months nor more than three months before the expiration of fourteen years from the date of the registration of a trade mark, the comptroller shall send notice to the registered proprietor that the trade mark will be removed from the register unless the proprietor pays to the comptroller before the expiration of such fourteen years (naming the date at which the same will expire) the prescribed fee; and if such fee be not previously paid, he shall at the expiration of one month from the date of the giving of the first notice send a second notice to the same effect.

(2.) If such fee be not paid before the expiration of such fourteen years the comptroller may after the end of three months from the expiration of such fourteen years remove the mark from the register, and so from time to time at the expiration of every period of fourteen years.

(3.) If before the expiration of the said three months the registered proprietor pays the said fee together with the additional prescribed fee, the comptroller may without removing such trade mark from the register accept the said fee as if it had been paid before the expiration of the said fourteen years.

(4.) Where after the said three months a trade mark has been removed from the register for nonpayment of the prescribed fee, the comptroller may, if satisfied that it is just so to do, restore such trade mark to the register on payment of the prescribed additional fee.

(5.) Where a trade mark has been removed from the register for nonpayment of the fee or otherwise, such trade mark shall nevertheless for the purpose of any application for registration during the five years next after the date of such removal, be deemed to be a trade mark which is already registered.

Fees.

Fees for registration, &c.

80. There shall be paid in respect of applications and registration and other matters under this part of this Act, such fees as may be from time to time, with the sanction of the Treasury, prescribed by the Board of Trade; and such fees shall be levied and paid to the account of Her Majesty's Exchequer in such manner as the Treasury may from time to time direct.

Sheffield Marks.

Registration by Cutlers' Company of Sheffield marks.

81. With respect to the master, wardens, searchers, assistants, and commonalty of the Company of Cutlers in Hallamshire, in the county of York (in this Act called the Cutlers' Company) and the marks or devices (in this Act called Sheffield marks) assigned or registered by the master, wardens, searchers, and assistants of that company, the following provisions shall have effect:

PART IV. TRADE MARKS.

(1.) The Cutlers' Company shall establish and keep at Sheffield a new register of trade marks (in this Act called the Sheffield register):

(2.) The Cutlers' Company shall enter in the Sheffield register in respect of cutlery, edge tools, or raw steel and the goods mentioned in the next sub-section, all the trade marks entered before the commencement of this Act in respect of cutlery, edge tools, or raw steel and such goods in the register established under the Trade Marks Registration Act, 1875, belonging to persons carrying on business in Hallamshire, or within six miles thereof, and shall also enter in such register, in respect of the same goods, all the trade marks which shall have been assigned by the Cutlers' Company and actually used before the commencement of this Act, but which have not been entered in the register established under the Trade Marks Registration Act, 1875:

(3.) An application for registration of a trade mark used on cutlery, edge tools, or on raw steel, or on goods made of steel, or of steel and iron combined, whether with or without a cutting edge, shall, if made after the commencement of this Act by a person carrying on business in Hallamshire, or within six miles thereof, be made to the Cutlers' Company:

(4.) Every application so made to the Cutlers' Company shall be notified to the comptroller in the prescribed manner, and unless the comptroller within the prescribed time gives notice to the Cutlers' Company that he objects to the acceptance of the application, it shall be proceeded with by the Cutlers' Company in the prescribed manner:

(5.) If the comptroller gives notice of objection as aforesaid, the application shall not be proceeded with by the Cutlers' Company, but any person aggrieved may appeal to the Court:

(6.) Upon the registration of a trade mark in the Sheffield register the Cutlers' Company shall give notice thereof to the comptroller, who shall thereupon enter the mark in the register of trade marks; and such registration shall bear date as of the day of application to the Cutlers' Company, and have the same effect as if the application had been made to the comptroller on that day:

(7.) The provisions of this Act, and of any general rules made under this Act, with respect to application for registration in the register of trade marks, the effect of such registration, and the assignment and transmission of rights in a registered trade mark shall apply in the case of applications and registration in the Sheffield register; and notice of every entry made in the Sheffield register must be given to the comptroller by the Cutlers' Company, save and except that the provisions of this sub-section shall not prejudice or affect any life, estate, and interest of a widow of the holder of any Sheffield mark which may be in force in respect of such mark at the time when it shall be placed upon the Sheffield register:

(8.) Where the comptroller receives from any person not carrying on business in Hallamshire or within six miles thereof an application for registration of a trade mark used on cutlery,

edge tools, or on raw steel, or on goods made of steel, or of steel and iron combined, whether with or without a cutting edge, he shall in the prescribed manner notify the application and proceedings thereon to the Cutlers' Company:

(9.) At the expiration of five years from the commencement of this Act the Cutlers' Company shall close the Cutler's register of corporate trade marks, and thereupon all marks entered therein shall, unless entered in the Sheffield register, be deemed to have been abandoned:

(10.) A person may (notwithstanding anything in any Act relating to the Cutlers' Company) be registered in the Sheffield register as proprietor of two or more trade marks:

(11.) A body of persons, corporate or not corporate, may (notwithstanding anything in any Act relating to the Cutlers' Company) be registered in the Sheffield register as proprietor of a trade mark or trade marks:

(12.) Any person aggrieved by a decision of the Cutlers' Company in respect of anything done or omitted under this Act may, in the prescribed manner, appeal to the comptroller, who shall have power to confirm reverse or modify the decision, but the decision of the comptroller shall be subject to a further appeal to the Court:

(13.) So much of the Cutlers' Company's Acts as applies to the summary punishment of persons counterfeiting Sheffield corporate marks, that is to say, the fifth section of the Cutlers' Company's Act of 1814, and the provisions in relation to the recovery and application of the penalty imposed by such last-mentioned section contained in the Cutlers' Company's Act of 1791, shall apply to any mark entered in the Sheffield register.

PART V.

General.

Patent Office and Proceedings thereat.

Patent Office.

82. (1.) The Treasury may provide for the purposes of this Act an office with all requisite buildings and conveniences, which shall be called, and is in this Act referred to as, the Patent Office.

(2.) Until a new patent office is provided, the offices of the Commissioners of Patents for inventions and for the registration of designs and trade marks existing at the commencement of this Act shall be the patent office within the meaning of this Act.

(3.) The patent office shall be under the immediate control of an officer called the comptroller general of patents, designs, and trade marks, who shall act under the superintendence and direction of the Board of Trade.

(4.) Any act or thing directed to be done by or to the comptroller may, in his absence, be done by or to any officer for the time being in that behalf authorised by the Board of Trade.

Officers and clerks.

83. (1.) The Board of Trade may at any time after the passing of this Act, and from time to time, subject to the approval of the Treasury, appoint the comptroller-general of patents, designs, and trade marks, and so many examiners and other officers and clerks, with such designations and duties as the Board of Trade think fit, and may from time to time remove any of those officers and clerks.

PART V. GENERAL.

(2.) The salaries of those officers and clerks shall be appointed by the Board of Trade, with the concurrence of the Treasury, and the same and the other expenses of the execution of this Act shall be paid out of money provided by Parliament.

Seal of patent office.

84. There shall be a seal for the patent office, and impressions thereof shall be judicially noticed and admitted in evidence.

Trust not to be entered in registers.

85. There shall not be entered in any register kept under this Act, or be receivable by the comptroller, any notice of any trust expressed implied or constructive.

Refusal to grant patent, &c. in certain cases.

86. The comptroller may refuse to grant a patent for an invention, or to register a design or trade mark, of which the use would, in his opinion, be contrary to law or morality.

Entry of assignments and transmissions in registers.

87. Where a person becomes entitled by assignment, transmission, or other operation of law to a patent, or to the copyright in a registered design, or to a registered trade mark, the comptroller shall on request, and on proof of title to his satisfaction, cause the name of such person to be entered as proprietor of the patent, copyright in the design, or trade mark, in the register of patents, designs, or trade marks, as the case may be. The person for the time being entered in the register of patents, designs or trade-marks, as proprietor of a patent, copyright in a design or trade-mark as the case may be, shall, subject to any rights appearing from such register to be vested in any other person, have power absolutely to assign, grant licenses as to, or otherwise deal with, the same and to give effectual receipts for any consideration for such assignment, license, or dealing. Provided that any equities in respect of such patent, design, or trade-mark may be enforced in like manner as in respect of any other personal property.

Inspection of and extracts from registers.

88. Every register kept under this Act shall at all convenient times be open to the inspection of the public, subject to such regulations as may be prescribed; and certified copies, sealed with the seal of the patent office, of any entry in any such register shall be given to any person requiring the same on payment of the prescribed fee.

Sealed copies to be received in evidence.

89. Printed or written copies or extracts, purporting to be certified by the comptroller and sealed with the seal of the patent office, of or from patents specifications disclaimers and other documents in the patent office, and of or from registers and other books kept there, shall be admitted in evidence in all courts in Her Majesty's dominions, and in all proceedings, without further proof or production of the originals.

Rectification of registers by court.

90. (1.) The Court may on the application of any person aggrieved by the omission without sufficient cause of the name of any person from any register kept under this Act, or by any entry made without sufficient cause in any such register, make such order for making expunging or varying the entry, as the Court thinks fit; or the Court may refuse the application; and in either case may make such order with respect to the costs of the proceedings as the Court thinks fit.

(2.) The Court may in any proceeding under this section decide any question that it may be necessary or expedient to decide for the rectification of a register, and may direct an issue to be tried for the decision of any question of fact, and may award damages to the party aggrieved.

(3.) Any order of the Court rectifying a register shall direct that due notice of the rectification be given to the comptroller.

Power for comptroller to correct clerical errors.

91. The comptroller may, on request in writing accompanied by the prescribed fee,—

(*a.*) Correct any clerical error in or in connexion with an application for a patent, or for registration of a design or trade mark; or

(*b.*) Correct any clerical error in the name style or address of the registered proprietor of a patent, design, or trade mark.

(*c.*) Cancel the entry or part of the entry of a trade mark on the register: Provided that the applicant accompanies his request by a statutory declaration made by himself, stating his name, address, and calling, and that he is the person whose name appears on the register as the proprietor of the said trade mark.

Alteration of registered mark.

92. (1.) The registered proprietor of any registered trade mark may apply to the Court for leave to add to or alter such mark in any particular, not being an essential particular within the meaning of this Act, and the Court may refuse or grant leave on such terms as it may think fit.

(2.) Notice of any intended application to the Court under this section shall be given to the comptroller by the applicant; and the comptroller shall be entitled to be heard on the application.

(3.) If the Court grants leave, the comptroller shall, on proof thereof and on payment of the prescribed fee, cause the register to be altered in conformity with the order of leave.

Falsification of entries in registers.

93. If any person makes or causes to be made a false entry in any register kept under this Act, or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders or causes to be produced or tendered in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanor.

Exercise of discretionary power by comptroller.

94. Where any discretionary power is by this Act given to the comptroller, he shall not exercise that power adversely to the applicant for a patent, or for amendment of a specification, or for registration of a trade mark or design, without (if so required within the prescribed time by the applicant) giving the applicant an opportunity of being heard personally or by his agent.

Power of comptroller to take directions of law officers.

95. The comptroller may, in any case of doubt or difficulty arising in the administration of any of the provisions of this Act, apply to either of the law officers for directions in the matter.

Certificate of comptroller to be evidence.

96. A certificate purporting to be under the hand of the comptroller as to any entry, matter, or thing which he is authorised by this Act, or any general rules made thereunder, to make or do, shall be primâ facie evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or left undone.

Applications and notices by post.

97. (1.) Any application, notice, or other document authorised or required to be left made or given at the patent office or to the comptroller, or to any other person under this Act, may be sent by a prepaid letter through the post; and if so sent shall be deemed to have been left made or given respectively at the time when the letter containing the same would be delivered in the ordinary course of post.

PART V. GENERAL.

(2.) In proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

Provision as to days for leaving documents at office.

98. Whenever the last day fixed by this Act, or by any rule for the time being in force, for leaving any document or paying any fee at the patent office shall fall on Christmas Day, Good Friday, or on a Saturday or Sunday, or any day observed as a holiday at the Bank of England, or any day observed as a day of public fast or thanksgiving, herein referred to as excluded days, it shall be lawful to leave such document or to pay such fee on the day next following such excluded day, or days if two or more of them occur consecutively.

Declaration by infant, lunatic, &c.

99. If any person is, by reason of infancy lunacy or other inability, incapable of making any declaration or doing anything required or permitted by this Act or by any rules made under the authority of this Act, then the guardian or committee (if any) of such incapable person, or if there be none, any person appointed by any court or judge possessing jurisdiction in respect of the property of incapable persons, upon the petition of any person on behalf of such incapable person, or of any other person interested in the making such declaration or doing such thing, may make such declaration or a declaration as nearly corresponding thereto as circumstances permit, and do such thing in the name and on behalf of such incapable person, and all acts done by such substitute shall for the purposes of this Act be as effectual as if done by the person for whom he is substituted.

Transmission of certified printed copies of specifications, &c.

100. Copies of all specifications, drawings, and amendments left at the Patent Office after the commencement of this Act, printed for and sealed with the seal of the Patent Office, shall be transmitted to the Edinburgh Museum of Science and Art, and to the Enrolments Office of the Chancery Division in Ireland, and to the Rolls Office in the Isle of Man, within twenty-one days after the same shall respectively have been accepted or allowed at the Patent Office; and certified copies of or extracts from any such documents shall be given to any person requiring the same on payment of the prescribed fee; and any such copy or extract shall be admitted in evidence in all courts in Scotland and Ireland and in the Isle of Man without further proof or production of the originals.

Power for Board of Trade to make general rules for classifying goods and regulating business of patent office.

101. (1.) The Board of Trade may from time to time make such general rules and do such things as they think expedient, subject to the provisions of this Act—

(*a.*) For regulating the practice of registration under this Act:

(*b.*) For classifying goods for the purposes of designs and trade marks:

(*c.*) For making or requiring duplicates of specifications, amendment, drawings, and other documents:

(*d.*) For securing and regulating the publishing and selling of copies, at such prices and in such manner as the Board of Trade think fit, of specifications drawings amendments and other documents:

(*e.*) For securing and regulating the making printing publishing and selling of indexes to, and abridgments of, specifications and other documents in the patent office; and providing for

the inspection of indexes and abridgments and other documents:

(*f.*) For regulating (with the approval of the Treasury) the presentation of copies of patent office publications to patentees and to public authorities, bodies, and institutions at home and abroad:

(*g.*) Generally for regulating the business of the patent office, and all things by this Act placed under the direction or control of the comptroller, or of the Board of Trade.

(2.) Any of the forms in the First Schedule to this Act may be altered or amended by rules made by the Board as aforesaid.

(3.) General rules may be made under this section at any time after the passing of this Act, but not so as to take effect before the commencement of this Act, and shall (subject as herein-after mentioned) be of the same effect as if they were contained in this Act, and shall be judicially noticed.

(4.) Any rules made in pursuance of this section shall be laid before both Houses of Parliament, if Parliament be in session at the time of making thereof, or, if not, then as soon as practicable after the beginning of the then next session of Parliament, and they shall also be advertised twice in the official journal to be issued by the comptroller.

(5.) If either House of Parliament, within the next forty days after any rules have been so laid before such House, resolve that such rules or any of them ought to be annulled, the same shall after the date of such resolution be of no effect, without prejudice to the validity of anything done in the meantime under such rules or rule or to the making of any new rules or rule.

Annual reports of comptroller.

102. The comptroller shall, before the first day of June in every year, cause a report respecting the execution by or under him of this Act to be laid before both Houses of Parliament, and therein shall include for the year to which each report relates all general rules made in that year under or for the purposes of this Act, and an account of all fees, salaries, and allowances, and other money received and paid under this Act.

International and Colonial Arrangements.

International arrangements for protection of inventions, designs, and trade marks.

103. (1.) If Her Majesty is pleased to make any arrangement with the government or governments of any foreign state or states for mutual protection of inventions, designs, and trade marks, or any of them, then any person who has applied for protection for any invention, design, or trade mark in any such state, shall be entitled to a patent for his invention or to registration of his design or trade mark (as the case may be) under this Act, in priority to other applicants; and such patent or registration shall have the same date as the date of the protection obtained in such foreign state.

Provided that his application is made, in the case of a patent within seven months, and in the case of a design or trade mark within four months, from his applying for protection in the foreign state with which the arrangement is in force.

Provided that nothing in this section contained shall entitle the patentee or proprietor of the design or trade mark to recover damages for infringements happening prior to the date of the actual

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acceptance of his complete specification, or the actual registration of his design or trade mark in this country, as the case may be.

(2.) The publication in the United Kingdom, or the Isle of Man during the respective periods aforesaid of any description of the invention, or the use therein during such periods of the invention, or the exhibition or use therein during such periods of the design, or the publication therein during such periods of a description or representation of the design, or the use therein during such periods of the trade mark, shall not invalidate the patent which may be granted for the invention, or the registration of the design or trade mark:

(3.) The application for the grant of a patent, or the registration of a design, or the registration of a trade mark under this section, must be made in the same manner as an ordinary application under this Act: Provided that, in the case of trade marks, any trade mark the registration of which has been duly applied for in the country of origin may be registered under this Act:

(4.) The provisions of this section shall apply only in the case of those foreign states with respect to which Her Majesty shall from time to time by Order in Council declare them to be applicable, and so long only in the case of each state as the Order in Council shall continue in force with respect to that state.

Provision for colonies and India.

104. (1.) Where it is made to appear to Her Majesty that the legislature of any British possession has made satisfactory provision for the protection of inventions, designs, and trade marks, patented or registered in this country, it shall be lawful for Her Majesty from time to time, by Order in Council, to apply the provisions of the last preceding section, with such variations or additions, if any, as to Her Majesty in Council may seem fit, to such British possession.

(2.) An Order in Council under this Act shall, from a date to be mentioned for the purpose in the Order, take effect as if its provisions had been contained in this Act; but it shall be lawful for Her Majesty in Council to revoke any Order in Council made under this Act.

Offences.

Penalty on falsely representing articles to be patented.

105. (1.) Any person who represents that any article sold by him is a patented article, when no patent has been granted for the same, or describes any design or trade mark applied to any article sold by him as registered which is not so, shall be liable for every offence on summary conviction to a fine not exceeding five pounds.

(2.) A person shall be deemed, for the purposes of this enactment, to represent that an article is patented or a design or a trade mark is registered, if he sells the article with the word "patent," "patented," "registered," or any word or words expressing or implying that a patent or registration has been obtained for the article stamped, engraved, or impressed on, or otherwise applied to, the article.

Penalty on unauthorised assumption of Royal arms.

106. Any person who, without the authority of Her Majesty, or any of the Royal Family, or of any Government Department, assumes or uses in connexion with any trade, business, calling, or profession, the Royal arms, or arms so nearly resembling the same

as to be calculated to deceive, in such a manner as to be calculated to lead other persons to believe that he is carrying on his trade, business, calling, or profession by or under such authority as aforesaid, shall be liable on summary conviction to a fine not exceeding twenty pounds.

Scotland; Ireland; &c.

Saving for Courts in Scotland.

107. In any action for infringement of a patent in Scotland the provisions of this Act, with respect to calling in the aid of an assessor, shall apply, and the action shall be tried without a jury, unless the court shall otherwise direct, but otherwise nothing shall affect the jurisdiction and forms of process of the courts in Scotland in such an action or in any action or proceeding respecting a patent hitherto competent to those courts.

For the purposes of this section "court of appeal" shall mean any court to which such action is appealed.

Summary proceedings in Scotland.

108. In Scotland any offence under this Act declared to be punishable on summary conviction may be prosecuted in the sheriff court.

Proceedings for revocation of patent in Scotland.

109. (1.) Proceedings in Scotland for revocation of a patent shall be in the form of an action of reduction at the instance of the Lord Advocate, or at the instance of a party having interest with his concurrence, which concurrence may be given on just cause shown only.

(2.) Service of all writs and summonses in that action shall be made according to the forms and practice existing at the commencement of this Act.

Reservation of remedies in Ireland.

110. All parties shall, notwithstanding anything in this Act, have in Ireland their remedies under or in respect of a patent as if the same had been granted to extend to Ireland only.

General saving for jurisdiction of courts.

111. (1.) The provisions of this Act conferring a special jurisdiction on the court as defined by this Act, shall not, except so far as the jurisdiction extends, affect the jurisdiction of any court in Scotland or Ireland in any proceedings relating to patents or to designs or to trade marks; and with reference to any such proceedings in Scotland, the term "the Court" shall mean any Lord Ordinary of the Court of Session, and the term "Court of Appeal" shall mean either Division of the said Court; and with reference to any such proceedings in Ireland, the terms "the Court" and "the "Court of Appeal" respectively mean the High Court of Justice in Ireland and Her Majesty's Court of Appeal in Ireland.

(2.) If any rectification of a register under this Act is required in pursuance of any proceeding in a court in Scotland or Ireland, a copy of the order, decree, or other authority for the rectification, shall be served on the comptroller, and he shall rectify the register accordingly.

Isle of Man.

112. This Act shall extend to the Isle of Man, and—

(1.) Nothing in this Act shall affect the jurisdiction of the Courts in the Isle of Man, in proceedings for infringement or in any action or proceeding respecting a patent, design, or trade mark competent to those courts;

(2.) The punishment for a misdemeanor under this Act in the Isle of Man shall be imprisonment for any term not exceeding

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two years, with or without hard labour, and with or without a fine not exceeding one hundred pounds, at the discretion of the court;

(3.) Any offence under this Act committed in the Isle of Man which would in England be punishable on summary conviction may be prosecuted, and any fine in respect thereof recovered at the instance of any person aggrieved, in the manner in which offences punishable on summary conviction may for the time being be prosecuted.

Repeal; Transitional Provisions; Savings.

Repeal and saving for past operation of repealed enactments, &c.

113. The enactments described in the Third Schedule to this Act are hereby repealed. But this repeal of enactments shall not—

(*a.*) Affect the past operation of any of those enactments, or any patent or copyright or right to use a trade mark granted or acquired, or application pending, or appointment made, or compensation granted, or order or direction made or given, or right, privilege, obligation, or liability acquired, accrued, or incurred, or anything duly done or suffered under or by any of those enactments before or at the commencement of this Act; or

(*b.*) Interfere with the institution or prosecution of any action or proceeding, civil or criminal, in respect thereof, and any such proceeding may be carried on as if this Act had not been passed; or

(*c.*) Take away or abridge any protection or benefit in relation to any such action or proceeding.

Former registers to be deemed continued.

114. (1.) The registers of patents and of proprietors kept under any enactment repealed by this Act shall respectively be deemed parts of the same book as the register of patents kept under this Act.

(2.) The registers of designs and of trade marks kept under any enactment repealed by this Act shall respectively be deemed parts of the same book as the register of designs and the register of trade marks kept under this Act.

Saving for existing rules.

115. All general rules made by the Lord Chancellor or by any other authority under any enactment repealed by this Act, and in force at the commencement of this Act, may at any time after the passing of this Act be repealed altered or amended by the Board of Trade, as if they had been made by the Board under this Act, but so that no such repeal alteration or amendment shall take effect before the commencement of this Act; and, subject as aforesaid, such general rules shall, so far as they are consistent with and are not superseded by this Act, continue in force as if they had been made by the Board of Trade under this Act.

Saving for prerogative.

116. Nothing in this Act shall take away abridge or prejudicially affect the prerogative of the Crown in relation to the granting of any letters patent or to the withholding of a grant thereof.

General Definitions.

General definitions.

117. (1.) In and for the purposes of this Act, unless the context otherwise requires,—

"Person" includes a body corporate:

"The Court" means (subject to the provisions for Scotland, Ireland, and the Isle of Man) Her Majesty's High Court of Justice in England:

"Law officer" means Her Majesty's Attorney-General or Solicitor-General for England:

"The Treasury" means the Commissioners of Her Majesty's Treasury:

"Comptroller" means the Comptroller General of Patents, Designs, and Trade Marks:

"Prescribed" means prescribed by any of the Schedules to this Act, or by general rules under or within the meaning of this Act:

"British possession" means any territory or place situate within Her Majesty's dominions, and not being or forming part of the United Kingdom, or of the Channel Islands, or of the Isle of Man, and all territories and places under one legislature, as herein-after defined, are deemed to be one British possession for the purposes of this Act:

"Legislature" includes any person or persons who exercise legislative authority in the British possession; and where there are local legislatures as well as a central legislature, means the central legislature only.

In the application of this Act to Ireland, "summary conviction" means a conviction under the Summary Jurisdiction Acts, that is to say, with reference to the Dublin Metropolitan Police District the Acts regulating the duties of justices of the peace and of the police for such district, and elsewhere in Ireland the Petty Sessions (Ireland) Act, 1851, and any Act amending it.

SCHEDULES.

THE FIRST SCHEDULE.

Forms of Application, &c.

£1 Stamp.

FORM A. (altered by rule.) Section 5.

Form of Application for Patent

I, (*a*) *John Smith*, of *29, Perry Street, Birmingham*, in the county of *Warwick, Engineer*, do solemnly and sincerely declare that I am in possession of an invention for (*b*) "*Improvements in Sewing Machines;*" that I am the true and first inventor thereof; and that the same is not in use by any other person or persons to the best of my knowledge and belief; and I humbly pray that a patent may be granted to me for the said invention.

(*a*) Here insert name, address and calling of inventor.
(*b*) Here insert title of invention.

And I make the above solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

(*c*) *John Smith.*

(*c*) Signature of inventor.

Declared at *Birmingham*, in the county of *Warwick*, this day of *18* .

Before me,

(*d*) *James Adams,*
Justice of the Peace.

(*d*) Signature and title of the officer before whom the declaration is made.

Note.—Where the above declaration is made out of the United Kingdom, the words "and by virtue of the Statutory Declarations Act, 1835," must be omitted; and the declaration must be made before a British consular officer, or where it is not reasonably practicable to make it before such officer, then before a public officer duly authorised in that behalf.

FORM B. (alt. by rule)

FORM OF PROVISIONAL SPECIFICATION.

Improvements in Sewing Machines. (*a*)

I, (*b*) *John Smith*, of *29, Perry Street, Birmingham*, in the county of *Warwick, Engineer*, do hereby declare the nature of my invention for "*Improvements in Sewing Machines*," to be as follows (*c*) :—

* * * * * * *

(*d*) *John Smith.*

Dated this day of 18 .

NOTE.—No stamp is required on this document.

(*a*) Here insert title as in declaration.
(*b*) Here insert name, address, and calling of inventor as in declaration.
(*c*) Here insert short description of invention.
(*d*) Signature of inventor.

FORM C. (altered by rule)

£3 Stamp.

FORM OF COMPLETE SPECIFICATION.

Improvements in Sewing Machines. (*a*)

I, (*b*) *John Smith*, of *29, Perry Street, Birmingham*, in the county of *Warwick, Engineer*, do hereby declare the nature of my invention for "*Improvements in Sewing Machines*," and in what manner the same is to be performed, to be particularly described and ascertained in and by the following statement (*c*) :—

* * * * * * *

Having now particularly described and ascertained the nature of my said invention and in what manner the same is to be performed, I declare that what I claim is (*d*).

1.
2.
3. &c.

(*e*) *John Smith.*

Dated this day of 18 .

(*a*) Here insert title, as in declaration.
(*b*) Here insert name, address, and calling of inventor, as in declaration.
(*c*) Here insert full description of invention.
(*d*) Here state distinctly the features of novelty claimed.
(*e*) Signature of inventor.

Section 33.

FORM D.

FORM OF PATENT.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith : To all to whom these presents shall come greeting :

Whereas *John Smith*, of 29, *Perry Street, Birmingham*, in the county of *Warwick, Engineer*, hath by his solemn declaration represented unto us that he is in possession of an invention for "*Improvements in Sewing Machines*," that he is the true and first inventor thereof, and that the same is not in use by any other person to the best of his knowledge and belief :

And whereas the said inventor hath humbly prayed that we would be graciously pleased to grant unto him (herein-after together with his executors, administrators, and assigns, or any of them, referred to as the said patentee) our Royal Letters Patent for the sole use and advantage of his said invention :

And whereas the said inventor hath by and in his complete specification particularly described the nature of his invention :

And whereas we being willing to encourage all inventions which may be for the public good, are graciously pleased to condescend to his request :

Know ye, therefore, that We, of our especial grace, certain knowledge, and mere motion do by these presents, for us, our heirs and successors, give and grant unto the said patentee our especial license, full power, sole privilege, and authority, that the said patentee by himself, his agents, or licensees, and no others, may at all times hereafter during the term of years herein

mentioned, make, use, exercise, and vend the said invention within our United Kingdom of Great Britain and Ireland, and Isle of Man, in such manner as to him or them may seem meet, and that the said patentee shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention, during the term of fourteen years from the date hereunder written of these presents: And to the end that the said patentee may have and enjoy the sole use and exercise and the full benefit of the said invention, We do by these presents for us our heirs and successors, strictly command all our subjects whatsoever within our United Kingdom of Great Britain and Ireland, and the Isle of Man, that they do not at any time during the continuance of the said term of fourteen years either directly or indirectly make use of or put in practice the said invention, or any part of the same, nor in anywise imitate the same, nor make or cause to be made any addition thereto or subtraction therefrom, whereby to pretend themselves the inventors thereof, without the consent licence or agreement of the said patentee in writing under his hand and seal, on pain of incurring such penalties as may be justly inflicted on such offenders for their contempt of this our Royal command, and of being answerable to the patentee according to law for his damages thereby occasioned: Provided that these our letters patent are on this condition, that, if at any time during the said term it be made to appear to us, our heirs, or successors, or any six or more of our Privy Council, that this our grant is contrary to law, or prejudicial or inconvenient to our subjects in general, or that the said invention is not a new invention as to the public use and exercise thereof within our United Kingdom of Great Britain and Ireland, and Isle of Man, or that the said patentee is not the first and true inventor thereof within this realm as aforesaid, these our letters patent shall forthwith determine, and be void to all intents and purposes, notwithstanding anything herein-before contained: Provided also, that if the said patentee shall not pay all fees by law required to be paid in respect of the grant of these letters patent, or in respect of any matter relating thereto at the time or times, and in manner for the time being by law provided; and also if the said patentee shall not supply or cause to be supplied, for our service all such articles of the said invention as may be required by the officers or commissioners administering any department of our service in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled in manner for the time being by law provided, then, and in any of the said cases, these our letters patent, and all privileges and advantages whatever hereby granted shall determine and become void notwithstanding anything herein-before contained: Provided also that nothing herein contained shall prevent the granting of licences in such manner and for such considerations as they may by law be granted: And lastly, we do by these presents for us, our heirs and successors, grant unto the said patentee that these our letters patent shall be construed in the most beneficial sense for the advantage of the said patentee. In witness whereof we have caused these our letters to be made patent this one thousand eight hundred and and to be sealed as of the one thousand eight hundred and .

Seal of Patent Office.

Section 47.

FORM E.

FORM OF APPLICATION FOR REGISTRATION OF DESIGN.

_____ day of _____ 18 .

You are hereby requested to register the accompanying _____ Design, in Class_____ in the name of (*a*) of who claims to be the Proprietor thereof, and to return the same to

Statement of nature of Design _____

Registration Fees enclosed £ „ *s.*

To the Comptroller,
Patent Office, 25, *Southampton Buildings, Chancery Lane, W.C.*

(Signed) _____

(*a*) Here insert legibly the name and address of the individual or firm.

Section 62.

FORM F.

FORM OF APPLICATION FOR REGISTRATION OF TRADE MARK.

(One representation to be fixed within this square, and two others on separate sheets of foolscap of same size.)

(Representations of a larger size may be folded, but must be mounted upon linen and affixed hereto.)

You are hereby requested to register the accompanying trade mark, [*In Class —Iron in bars, sheets, and plates; in Class —Steam engines and boilers; and in Class —Warming Apparatus*], in the name of (*a*) , who claims to be the proprietor thereof.

Registration Fees enclosed £ „ *s.*

To the Comptroller,
Patent Office, 25, *Southampton Buildings, Chancery Lane, W.C.*

(Signed) _____

(*a*) Here insert legibly the name, address, and business of the individual or firm.

Note.—If the trade mark has been in use before August 13, 1875, state length of user.

THE SECOND SCHEDULE.

Section 24.

Fees on instruments for obtaining Patents, and Renewal.

(*a.*) *Up to sealing.*

	£	s.	d.	£	s.	d.
On application for provisional protection - -	1	0	0			
On filing complete specification - - -	3	0	0			
				4	0	0
or						
On filing complete specification with first application - -				4	0	0

(*b.*) *Further before end of four years from date of patent.*

On certificate of renewal - - - - -				50	0	0

(*c.*) *Further before end of seven years, or in the case of patents granted after the commencement of this Act, before the end of eight years from date of patent.*

On certificate of renewal - - - - -				100	0	0

Or in lieu of the fees of £50 and £100 the following annual fees :—

Before the expiration of the—	£	s.	d.
fourth year from the date of the patent - - -	10	0	0
fifth " " - - -	10	0	0
sixth " " - - -	10	0	0
seventh " " - - -	10	0	0
eighth " " - - -	15	0	0
ninth " " - - -	15	0	0
tenth " " - - -	20	0	0
eleventh " " - - -	20	0	0
twelfth " " - - -	20	0	0
thirteenth " " - - -	20	0	0

THE THIRD SCHEDULE.

Section 113.

Enactments repealed.

21 James I. c. 3. [1623.]	The Statute of Monopolies. In part; namely,— Sections ten, eleven, and twelve.
5 & 6 Will. 4. c. 62. [1835.] In part.	The Statutory Declarations Act, 1835. In part; namely,— Section eleven.
5 & 6 Will. 4. c. 83. [1835.]	An Act to amend the law touching letters patent for inventions.
2 & 3 Vict. c. 67. [1839.]	An Act to amend an Act of the fifth and sixth years of the reign of King William the Fourth, intituled "An Act to amend the law touching letters patent "for inventions."
5 & 6 Vict. c. 100. [1842.]	An Act to consolidate and amend the laws relating to the copyright of designs for ornamenting articles of manufacture.
6 & 7 Vict. c. 65. [1843.]	An Act to amend the laws relating to the copyright of designs.
7 & 8 Vict. c. 69. (*a.*) [1844.] In part.	An Act for amending an Act passed in the fourth year of the reign of His late Majesty, intituled "An "Act for the better administration of justice in His "Majesty's Privy Council, and to extend its jurisdiction and powers." In part; namely,— Sections two to five, both included.

(*a.*) *Note.*—Sections six and seven of this Act are repealed by the Statute Law Revision (No. 2) Act, 1874.

13 & 14 Vict. c. 104. [1850.]	An Act to extend and amend the Acts relating to the copyright of designs.
15 & 16 Vict. c. 83. [1852.]	The Patent Law Amendment Act, 1852.
16 & 17 Vict. c. 5. [1853.]	An Act to substitute stamp duties for fees on passing letters patent for inventions, and to provide for the purchase for the public use of certain indexes of specifications.
16 & 17 Vict. c. 115. [1853.]	An Act to amend certain provisions of the Patent Law Amendment Act, 1852, in respect of the transmission of certified copies of letters patent and specifications to certain offices in Edinburgh and Dublin, and otherwise to amend the said Act.
21 & 22 Vict. c. 70. [1858.]	An Act to amend the Act of the fifth and sixth years of Her present Majesty, to consolidate and amend the laws relating to the copyright of designs for ornamenting articles of manufacture.
22 Vict. c. 13. [1859.]	An Act to amend the law concerning patents for inventions with respect to inventions for improvements in instruments and munitions of war.
24 & 25 Vict. c. 73. [1861.]	An Act to amend the law relating to the copyright of designs.
28 & 29 Vict. c. 3. [1865.]	The Industrial Exhibitions Act, 1865.
33 & 34 Vict. c. 27. [1870.]	The Protection of Inventions Act, 1870.
33 & 34 Vict. c. 97. [1870.]	The Stamp Act, 1870,— In part; namely,— Section sixty-five, and in the Schedule the words and figures. "Certificate of the registration of a design . . £5 0 0 And see section 65."
38 & 39 Vict. c. 91. [1875.]	The Trade Marks Registration Act, 1875.
38 & 39 Vict. c. 93. [1875.]	The Copyright of Designs Act, 1875.
39 & 40 Vict. c. 33. [1876.]	The Trade Marks Registration Amendment Act, 1876.
40 & 41 Vict. c. 37. [1877.]	The Trade Marks Registration Extension Act, 1877.
43 & 44 Vict. c. 10. [1880.]	The Great Seal Act, 1880. In part; namely,— Section five.
45 & 46 Vict. c. 72. [1882.]	The Revenue, Friendly Societies, and National Debt Act, 1882. In part; namely,— Section sixteen.

CHAPTER 58.

An Act to amend the Post Office (Money Orders) Acts, 1848 and 1880, and extend the same to Her Majesty's Dominions out of the United Kingdom.

[25th August 1883.]

43 & 44 Vict. c. 33.

WHEREAS by the Post Office (Money Orders) Act, 1880, it is provided that, subject to the Post Office regulations as defined by that Act, the Postmaster General, with the consent of the Treasury, may authorise his officers to issue orders in the form set forth in the schedule to that Act, subject to the proviso that the order

shall be for one of the amounts therein named, and in respect thereof the poundage therein named shall be taken for the use of Her Majesty:

And whereas it is expedient to make such further provision respecting the same as herein-after appears:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Alteration of form of orders.

1. Notwithstanding anything in the Post Office (Money Orders) Act, 1880, any of the orders issued in pursuance of that Act shall, in lieu of the form specified in that Act, be in the form set forth in the schedule to this Act with such modifications as may be prescribed.

Alteration of amounts of orders.

2. An order issued in pursuance of the Post Office (Money Orders) Act, 1880, shall be for the prescribed amount not exceeding twenty shillings, and there shall be taken in respect thereof, for the use of Her Majesty, the prescribed poundage not exceeding twopence.

Issue of orders by officers of the Crown.

3. The Postmaster-General may, if the post office regulations so provide, authorise any person holding office under the Crown to issue an order in pursuance of the Post Office (Money Orders) Act, 1880, and a person so authorised shall be deemed for the purpose of the issue and payment of such order, to be an officer of the Postmaster General and of the Post Office within the meaning of the said Act.

Extension of 43 & 44 Vict. c. 33., respecting money orders to British possessions.

4.—(1.) Whereas by reason of the form of the order issued under the Post Office (Money Orders) Act, 1880, and of the provisions of that Act authorising the issue thereof by officers of the Postmaster General only, doubts have arisen with respect to the application of the Post Office (Money Orders) Act, 1880, to orders issued in pursuance of arrangements made with the governments of Her Majesty's dominions out of the United Kingdom, and it is expedient to remove such doubts: Be it therefore enacted as follows:

Where an arrangement is made with the Government of any British possession for the transmission of small sums through the post offices of the United Kingdom and such British possession by means of money orders, of a like character to those issued under the Post Office (Money Orders) Act, 1880, as amended by this Act, the said Act, as amended by this Act, shall, so far as is consistent with the tenour thereof, and subject to the prescribed modifications, apply in like manner as if an order issued in pursuance of such arrangement, whether by an officer of the Post Office or of such British possession, was an order under the said Act, as amended by this Act, and such portions of the said Act as enact punishments shall apply accordingly.

Provided that—

(*a.*) Any Post Office regulations in relation to any money orders issued in pursuance of any such arrangement as aforesaid may differ from the regulations respecting any other money orders; and

(*b.*) Any money orders issued in pursuance of any such arrangement as aforesaid may be of such amount not exceeding the maximum amount in this Act mentioned and in such form and subject to such conditions respecting poundage, commission, the periods during which they are payable and other matters, as the Treasury, on the recommendation of the Postmaster General, may direct.

(2.) In this section the expression "United Kingdom" includes the Channel Islands and the Isle of Man, and the expression "British possession" means any part of Her Majesty's dominions other than the United Kingdom, the Channel Islands, and the Isle of Man.

Commencement of Act.

5. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-four.

Construction of Act.

6. This Act shall be construed as one with the Post Office (Money Orders) Acts, 1848 and 1880.

Short title. 11 & 12 Vict. c. 88. 43 & 44 Vict. c. 33.

7. This Act may be cited as the Post Office (Money Orders) Act, 1883, and together with the Post Office Money Orders Acts, 1848 and 1880, may be cited as the Post Office (Money Orders) Acts, 1848 to 1883.

Partial repeal of 43 & 44 Vict. c. 33.

8. The Post Office (Money Orders) Act, 1880, is hereby repealed to the extent mentioned in the third column of the Second Schedule to this Act;

Provided that all money orders issued before the commencement of this Act shall have effect, and be paid in like manner in all respects as if this Act had not passed.

Section 1.

FIRST SCHEDULE.

FORM OF ORDER.

[No. of Order.]

* Alter according to amount.

Issuing Office Stamp, with date.

*5s.**

Postal Order for * [five shillings].

Inland Revenue Stamp.

Postal Order.

*[One Penny.]

To the postmaster in charge of the money order office at † , pay to† at any time within three calendar months from the last day of the month of issue the sum of * [five shillings] on account of Her Majesty's Postmaster General.

_____ Postmaster.

Paying Office Stamp, with Date. Cancelling this Order.

† The person to whom this order is issued must, before parting with it, fill in the name of the person to whom the amount is to be paid, and may fill in the name of the money order office at which the amount is to be paid.

Except when the order is paid through a banker, the person so named must sign the receipt at the foot hereof, and must also fill in the name of the money order office if that has not already been done.

1. If this order be crossed "_____ & Co.," payment will only be made through a banker, and if the name of a banker is added payment will only be made through that banker.

2. After this order has once been paid,—to whomsoever it is paid,—the Postmaster General will not be liable for any further claim.

3. If any erasure or alteration be made, or if this order be cut, defaced, or mutilated, payment may be refused.

4. The regulations under which this order is issued allow the postmaster to refuse or delay the payment of this order, but he must at once report his reasons for so doing to the Postmaster General.

5. After the expiration of three months from the last day of the month of issue this Order will be payable only on payment of a commission equal to the amount of the original poundage, with the addition (if more than three months have elapsed since the said expiration) of the amount of the original poundage for every further period of three months which has so elapsed, and for every portion of any such period of three months over and above every complete period.

Received the above-named sum.

_____, Signature.

SECOND SCHEDULE.

Section 8.

ACT REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
43 & 44 Vict. c. 33. -	The Post Office (Money Orders) Act, 1880.	In section one, the first proviso, namely, from "any such order" down to "twenty shillings twopence"; and the schedule.

CHAPTER 59.

An Act to make better provision for the Prevention of outbreaks of formidable epidemic, endemic, or infectious diseases, and to amend the Public Health Act, England, 1875, and the Public Health Act, Ireland, 1878.

[25th August 1883.]

Preamble.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Epidemic and other Diseases Prevention Act, 1883.

Extension of borrowing powers for preventing disease. 38 & 39 Vict. c. 55. 41 & 42 Vict. c. 52.

2. Whenever any part of England or of Ireland appears to be threatened with or affected by any formidable epidemic, endemic, or infectious disease, and the Local Government Board, England, under the provisions of the Public Health Act, England, 1875, or the Local Government Board, Ireland, under the provisions of the Public Health Act, Ireland, 1878, make regulations for all or any of the following purposes, namely:

(1.) For the speedy interment of the dead.

(2.) For house to house visitation.

(3.) For the provision of medical aid and hospital accommodation; and

(4.) For the promotion of cleansing, ventilation, and disinfection, and for guarding against the spread of disease.

The purposes named in the said regulations, shall be deemed to be purposes for which sanitary authorities may borrow money, and the local authorities in England, and the sanitary authorities in Ireland, charged with the carrying out of such regulations, may borrow, and the Public Works Loan Commissioners in England and the Board of Public Works in Ireland may lend money to such authorities, as if such purposes were "works" for which loans may be granted under the Public Health Act, England, 1875, and the Public Health Act, Ireland, 1878.

Such loans may be made forthwith and without any preliminary public notice or inquiry, if it appear to the Local Government Board desirable in order to the prompt and effective execution of such regulations.

Amendment of clause 150 of Public Health Act, Ireland, 1878.

3. Whereas by the one hundred and fiftieth section of the Public Health Ireland Act, 1878, the board of guardians of any union in which regulations for prevention of the spread of formidable epidemic, endemic, or infectious diseases made by the Local Government Board are declared to be in force, are the authority appointed to superintend and see to the execution of such regulations, to the exclusion of all other sanitary authorities.

And whereas in the event of the outbreak of any formidable epidemic, such exclusion of the urban sanitary authority in cities and large towns might lead to delay and inconvenience.

Be it enacted that whenever the Local Government Board, Ireland, shall make any such regulations, the Board may direct the urban sanitary authority within any district in which such regulations shall be declared to be in force, to superintend and see to the execution of such regulations, or any of them, either independently or jointly with the board of guardians of any union within which or within part of which regulations so issued by the Local Government Board are declared to be in force, and thereupon every urban sanitary authority so directed by the Local Government Board shall have the like powers and authority in every respect as the board of guardians of any union within such district.

CHAPTER 60.

An Act to better the condition of Labourers in Ireland.

[25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Labourers (Ireland) Act, 1883.

Extent of Act.

2. This Act shall extend to Ireland only.

Description of rural sanitary districts and

3. For the purposes of this Act the terms "rural sanitary district" (herein-after called the sanitary district) and "rural sanitary

authority" (herein-after called the sanitary authority) shall have the meanings assigned to them respectively by the sixth section of the Public Health (Ireland) Act, 1878, and this Act shall, in so far as is consistent with the scope and tenor thereof, be construed as one with the said Act.

rural sanitary authority. 41 & 42 Vict. c. 52. s. 6.

Scheme by Sanitary Authority.

4. Where a representation as herein-after mentioned is made to the sanitary authority that the existing house accommodation for agricultural labourers and their families within any section of the sanitary district, to be defined in such representation, is deficient, having regard to the ordinary requirements of the district, or is unfit for human habitation owing to dilapidation, the want of light, air, ventilation, or proper conveniences, or to any other sanitary defects, and that such deficiency or sanitary defects cannot be effectually remedied otherwise than by an improvement scheme for the erection of other dwellings in lieu of or in addition to the dwellings already existing in the section, the sanitary authority shall take such representation into their consideration at a meeting of which not less than fourteen days public notice has been given, and of which a special notice has been sent to each member of the sanitary authority not less than fourteen days before the day of meeting, and if satisfied of the truth thereof, and of the sufficiency of their resources, shall pass a resolution that an improvement scheme ought to be made in respect of such section, and after passing such resolution they shall forthwith proceed to make a scheme for the improvement of such section.

Sanitary authority to make improvement scheme.

The sanitary authority may from time to time postpone their decision as to passing a resolution, or may postpone the making of a scheme, to any subsequent meeting specified by them at the time of such postponement, and in such case not less than three days notice of such meeting shall be sent to each member of the sanitary authority.

Two or more sections may be included in one improvement scheme.

The Local Government Board may, if they think fit, exercise for the purposes of this Act the powers conferred upon them by the twelfth section of the Public Health (Ireland) Act, 1878, of forming two or more sanitary districts or contributory places into a united district, as if the purposes of this Act were among the purposes specified in the said section; and the provisions of section thirteen of the said Act as to the governing body of a united district, and of section fourteen as to the constitution of a joint board, shall apply in the case of such united district, and such united district shall be deemed to be a rural sanitary district for the purposes of this Act.

5. A representation in pursuance of the last preceding section shall mean a representation signed by not less than twelve persons rated for the relief of the poor within the sanitary district; provided that if, after the area upon which the cost of the scheme is to be charged shall have been proposed by the sanitary authority, it shall appear that less than twelve of the persons who shall have signed the representation are resident within the said area, then the said representation, and all proceedings consequent thereon,

Representation by whom to be made.

shall cease to be of any force or validity, unless within one month after the making of the scheme an approval in writing of the said representation and proceedings shall be signed and forwarded to the sanitary authority by so many additional persons, rated as aforesaid and resident within the said area, as, with those who shall have already signed the representation and are resident within the said area, shall make up the number of twelve. The representation, if made on the ground of insufficient house accommodation, shall set forth specific instances of such insufficiency, and if made on the ground of sanitary defects shall be accompanied by a certificate of a sanitary officer of the sanitary authority to which the representation is made in corroboration of the sanitary defects alleged. The representation shall also define the section to which the scheme is to apply, and shall contain a suggestion on the part of the signatories as to the locality or localities in their opinion most suitable for the erection of the proposed new dwellings.

Requisites of improvement scheme of sanitary authority.

6. The improvement scheme of a sanitary authority shall be accompanied by maps, particulars, and estimates; it may exclude any part of the section in respect of which a representation is made, or may include any neighbouring lands within that district if the sanitary authority are of opinion that such exclusion is expedient or inclusion is necessary for making their scheme efficient for the purposes for which it is intended; it shall distinguish the lands proposed to be taken compulsorily. It shall further propose the erection of a sufficient number of labourers cottages so as to provide for the accommodation of the labouring class in suitable dwellings, with the requisite approaches to such dwellings; it shall also provide for proper sanitary arrangements, and for a plot or garden not exceeding half a statute acre being allotted to each dwelling. It may also provide for such scheme or any part thereof being carried out and effected by the person entitled to the first estate of freehold in any property subject to the scheme or with the concurrence of such person, under the superintendence and control of the sanitary authority, and upon such terms and conditions to be embodied in the scheme as may be agreed upon between the sanitary authority and such person. The scheme shall also specify the area which the sanitary authority propose as the area upon which the cost to be incurred in carrying the scheme into execution shall be charged. The scheme shall avoid all interference with the demesne and amenity of residence of the owner of the lands proposed to be taken, or with any home farm, or lands immediately adjoining and customarily occupied with such residence, and in all cases lands shall be selected with due regard to the general situation and convenience of the owner's property, so as to diminish the value thereof as little as possible.

Confirmation of Scheme.

Proceedings for the confirmation of the Improvement scheme.

7. Upon the completion of an improvement scheme the sanitary authority shall publish during three consecutive weeks in the month of September, or October, or November in some two or more newspapers circulating within the jurisdiction of the sanitary authority, an advertisement stating the fact of a scheme having been made, the limits of the section to which the scheme relates, the estimated cost of carrying the scheme into effect, and the proposed area of

charge, and naming a convenient place where a copy of the scheme may be seen at all reasonable hours: and during the month next following the month in which such advertisement is published serve a notice on every owner or reputed owner, lessee or reputed lessee, and occupier of any lands proposed to be taken compulsorily, so far as such persons can reasonably be ascertained, stating that such lands are proposed to be taken compulsorily for the purpose of an improvement scheme, and in the case of any owner or reputed owner, lessee or reputed lessee, requiring an answer stating whether the person so served dissents or not in respect of taking such lands, such notice to be served—

(*a.*) By delivery of the same personally to the person required to be served, or, if such person is absent abroad or cannot be found, to his agent, or if no agent can be found, then by leaving the same on the premises; or

(*b.*) By leaving the same at the usual or last known place of abode of such person as aforesaid; or

(*c.*) By forwarding the same by post in a prepaid letter addressed to the usual or last known place of abode of such person.

One notice addressed to the occupier or occupiers without naming him or them and left at any house shall be deemed to be a notice served on the occupier or on all the occupiers of any such house.

Petition to Local Government Board.

Upon compliance with the provisions contained in this section with respect to the publication of advertisements and the service of notices, the sanitary authority shall present a petition to the Local Government Board praying that an order may be made confirming such scheme. The petition shall be accompanied by a copy of the scheme, and shall state the names of the owners or reputed owners, lessees or reputed lessees, who have dissented in respect of the taking their lands, and shall be supported by such evidence as the Local Government Board may from time to time require.

If, on consideration of the petition and on proof of the publication of the proper advertisements and the service of the proper notices, the Local Government Board think fit to proceed with the case, they shall direct a local inquiry to be held for the purpose of ascertaining the correctness of the representation made as to the section, and the deficiency of houses for agricultural labourers and their sanitary defects, and the sufficiency of the scheme, and any local objections to be made to such scheme, and as to the propriety of confirming such scheme.

After receiving the report made upon such inquiry the Local Government Board may make a Provisional Order declaring the limits of the section to which the scheme relates, and authorising such scheme to be carried into execution. The Provisional Order shall also specify the areas which are to be contributory places for the purposes of this Act, upon which the expenses incurred under this Act are to be charged. Such Provisional Order may be made either absolutely or with such conditions and alterations of the scheme as the Local Government Board may think fit, so that no addition be made to the lands proposed in the scheme to be taken compulsorily, and it shall be the duty of the sanitary authority to serve a copy of any Provisional Order so made in the manner and upon the persons in which and upon whom notices in respect of

lands proposed to be taken compulsorily are required by this Act to be served, except tenants for a month or a less period than a month.

A Provisional Order made in pursuance of this section shall not be of any validity until and unless it has been confirmed by Act of Parliament, and it shall be lawful for the Local Government Board as soon as conveniently may be to obtain such confirmation; and any Provisional Order made in pursuance of this Act, when confirmed by Parliament with such modifications as may seem fit to Parliament, shall be deemed to be a Public General Act of Parliament, and is in this Act referred to as the confirming Act.

Any Act confirming any Provisional Order made in pursuance of this Act may be repealed, altered, or amended by any Provisional Order made by the Local Government Board and confirmed by Parliament.

The Local Government Board may make such order as they think fit in favour of any persons whose lands were proposed by the scheme to be taken compulsorily for the allowance of the reasonable costs, charges, and expenses properly incurred by him in opposing such scheme.

All costs, charges, and expenses incurred by the Local Government Board in relation to any Provisional Order under this Act shall, to such amount as the Local Government Board think proper to direct, and all costs, charges, and expenses of any person, to such amount as may be allowed by the Local Government Board in pursuance of the aforesaid power, shall be deemed to be an expense incurred by the sanitary authority under this Act, and shall be paid to the Local Government Board and to such person respectively, in such manner and at such times, and either in one sum or by instalments, as the Local Government Board may order, with power for the Local Government Board to direct interest to be paid, at such rate, not exceeding five pounds in the hundred by the year, as the Local Government Board may determine, upon any sum for the time being due in respect of such costs, charges, and expenses as aforesaid.

Any order made by the Local Government Board in pursuance of this section may be made a rule of Her Majesty's High Court of Justice in Ireland, and be enforced accordingly.

Certain orders of the Local Government Board valid without confirmation by Parliament.

8. A Provisional Order of the Local Government Board for confirming an improvement scheme under this Act shall become absolute, and shall take effect, without any Act of Parliament confirming the same, in case

(*a*) the order does not authorise the purchase or taking of any land otherwise than by agreement; and

(*b*) a petition against the order, signed by not less than three ratepayers liable to pay rates in respect of property situate within the area declared by such order to be chargeable, is not lodged with the Local Government Board within such time, not less than one month after the making and publication of the Provisional Order, as the Local Government Board may from time to time by regulation prescribe.

Costs to be awarded in certain cases.

9. Where any Bill for confirming a Provisional Order authorising an improvement scheme is referred to a Committee of either House

of Parliament upon the petition of any person opposing such Bill, the Committee shall take into consideration the circumstances under which such opposition was made to the Bill, and whether such opposition was or was not justified by such circumstances, and shall award costs accordingly to be paid by the promoters or the opponents of the Bill as the Committee may think just.

Any costs under this section may be taxed and recovered in the manner in which costs may be taxed and recovered under the Act of the session of the twenty-eighth and twenty-ninth years of the reign of Her present Majesty, chapter twenty-seven. 28 & 29 Vict. c. 27.

The decision of the majority of the members of the Committee for the time being present and voting on any question under this section shall be deemed to be the decision of the Committee.

Inquiry on refusal of sanitary authority to make an improvement scheme.

10. Where a representation is made to the sanitary authority with a view to their passing a resolution in favour of an improvement scheme, and they fail to pass any resolution in relation to such representation, or pass a resolution to the effect that they will not proceed with such scheme, such sanitary authority shall as soon as possible send a copy of the representation, accompanied by their reasons for not acting upon it, to the Local Government Board, and upon the receipt thereof the Local Government Board may, if they think it necessary, direct a local inquiry to be held and a report to be made to them with respect to the correctness of the representation made to the sanitary authority, and any matters connected therewith on which the Local Government Board may desire to be informed.

Power to sanitary authority to enforce order under section 4 of Labourers Cottages and Allotments (Ireland) Act, 1882.

11. In any case in which an order has been or shall be made under section three of the Labourers Cottages and Allotments (Ireland) Act, 1882, or under section nineteen of the Land Law (Ireland) Act, 1881, for providing accommodation for the labourers employed on any holding, and such order has not been complied with within six months after the date of such order, it shall be the duty of the sanitary authority of the district in which such holding is situate to make such complaint as mentioned in, and to put in force, the provisions of section four of the Labourers Cottages and Allotments (Ireland) Act, 1882.

Execution of Scheme by Local Authority.

Execution of scheme by sanitary authority.

12. When the confirming Act authorising any improvement scheme of a sanitary authority under this Act has been passed by Parliament, it shall be the duty of that authority to take steps for purchasing the lands required for the scheme, and otherwise for carrying the scheme into execution, as soon as practicable. They may sell or let all or any part of such lands to any purchasers or lessees for the purposes and under the condition that such purchasers or lessees will, as respects the land so purchased by or leased to them, carry the scheme into execution, and in particular they shall insert in any grant or lease of any part of the section provisions binding the grantee or lessee to build thereon as in the grant or lease prescribed, and to maintain and repair the buildings, and prescribing the maximum rents to be charged therefor, and prohibiting the division of buildings, and any addition to or alteration of the character of buildings, without the consent of the sanitary authority

and of the Local Government Board, and for the revesting of the land in the sanitary authority, or their re-entry thereon on breach of any provision in the grant or lease, and also that there shall be allotted to each dwelling so to be erected by such grantee or lessee a plot of ground not exceeding half a statute acre.

Provided that in any grant or lease of any part of the section to which the scheme applies the sanitary authority, subject to the approval of the Local Government Board, shall impose suitable conditions and restrictions as to the elevation, size, and design of the dwellings and the extent of the accommodation to be afforded thereby, and shall make due provision for the maintenance of proper sanitary arrangements.

The sanitary authority may, where they think it expedient so to do, without themselves acquiring the land, or after or subject to their acquiring any part thereof, contract with the person entitled to the first estate of freehold in any land comprised in an improvement scheme for the carrying out of the scheme in respect of such land by such person.

Conditions of lettings. 23 & 24 Vict. c. 154. s. 81.

13. It shall not be lawful for the sanitary authority to make a letting (save as expressly provided by this Act) of any tenement erected or acquired under this Act, or any part thereof, to any person other than an agricultural labourer.

It shall not be lawful for the sanitary authority to permit any such tenement or part thereof to be held by any person other than an agricultural labourer as occupier thereof.

It shall not be lawful for the sanitary authority to make a letting of any such tenement to an agricultural labourer for a longer term than from month to month.

It shall be the duty of the sanitary authority to make lettings of the tenements erected or acquired by them under this Act upon such terms and conditions that the tenancies created by such lettings shall be cottier tenancies within the meaning of the Landlord and Tenant Law Amendment Act (Ireland), 1860, save only that the rents reserved in such lettings may exceed the limits prescribed by the eighty-first section of that Act; and tenancies created by a sanitary authority under this Act shall not be excluded from the provisions of the Landlord and Tenant Law Amendment Act (Ireland), 1860, which relate to cottier tenancies by reason only that the rents reserved exceed such limits.

23 & 24 Vict. c. 154. s. 81.

In every such letting the sanitary authority shall insert a condition binding the tenant not to assign, or sub-let, or sub-divide, or part with the possession of the tenement or any part thereof, or make any letting in conacre, or allow any part of such premises to be occupied by a lodger; and it shall be the duty of the sanitary authority, in case any breach of such condition occurs, to take all such proceedings as may be necessary for the purpose of terminating the tenancy of such tenant and of recovering the possession of the tenement.

The conditions in this section contained shall apply and extend to the assignees or lessees of the sanitary authority in respect of any purchased lands sold or let under the next preceding section.

Houses unfit for use shall be pulled down.

14. When any house situate on any land acquired by a sanitary authority under this Act, and occupied by an agricultural labourer,

is unfit for human habitation, the sanitary authority shall, after making provision under this Act for the accommodation of such labourer, pull down such house, or apply it for some purpose other than as a dwelling-house.

Completion of scheme on failure by sanitary authority.

15. If within two years after the confirmation of any Provisional Order under this Act the sanitary authority have failed to make arrangements for the erection of labourers dwellings, the said land shall, in case the person from whom the same was acquired, his heirs or assigns, so requires, be reconveyed to him or them, in a condition at least as suitable for agricultural or grazing purposes as it was when it was originally taken possession of, at the price paid for the same by the sanitary authority, or if such person, his heirs or assigns, omits, after one month's notice, to signify his or their intention to repurchase on such terms, then the Local Government Board may order the said land to be sold by public auction or public tender, with full power to fix a reserve price, subject to the conditions imposed by the scheme, and to any modifications thereof which may be made in pursuance of this Act, and to a special condition on the part of the purchaser to erect upon the said land labourers dwellings in accordance with plans to be approved by the sanitary authority, and subject to such other reservations and regulations as the Local Government Board may deem necessary.

Power to purchase lands.

16. Any sanitary authority may for the purposes and subject to the provisions of this Act purchase or take on lease, sell, or exchange any lands within their district, and may for the like purposes, or for the proper drainage or sanitary requirements of the labourers dwellings within their district, purchase, either within or without their district, any land covered with water, or any water not needed for the use of the inhabitants of the district in which it may be found, or right to take or convey water. And for the purposes of such purchase the Lands Clauses Acts shall be incorporated with this Act; provided that the sanitary authority shall not purchase or take any lands otherwise than by agreement except under the authority of a Provisional Order confirmed by Parliament in accordance with this Act.

In the case of any purchase of lands otherwise than by agreement, such purchase and the provisions of the Provisional Order relating thereto shall, at the option of the owner of the lands, estate, or interest proposed to be purchased, be at an end in the following events:—

(*a.*) In cases in which the owner of the lands, estate, or interest shall have become entitled to a certificate under the fourteenth section of the Railways (Ireland) Act, 1851, if the purchase money is demanded by such owner, and remains unpaid for a period of thirty days or upwards after such demand:

(*b.*) In cases falling within the eighteenth or nineteenth sections of the Railways (Ireland) Act, 1851, if the sanitary authority make default for a period of thirty days or upwards in dealing with the purchase money as provided by those sections respectively:

Provided that the election of the owner of the lands, estate, or interest to declare such purchase to be at an end shall be notified by him in writing to the sanitary authority within a period not

exceeding thirty days after the expiration of the time limited by this section within which the purchase money should be paid or otherwise dealt with as aforesaid.

Any lands acquired by a sanitary authority in pursuance of any powers in this Act contained, and not required for the purpose for which they were acquired, shall, except where otherwise expressly provided by this Act, in case the person from whom such lands were acquired, his heirs or assigns, so requires, be reconveyed to him or them, in a condition at least as suitable for agricultural or grazing purposes as it was when it was originally taken possession of, at the price paid for such lands by the sanitary authority, or if such person, his heirs or assigns, omits, after one month's notice, to signify his intention to repurchase such land on such terms, shall (unless the Local Government Board otherwise direct) be sold at the best price that can be gotten for the same, and the proceeds of such sale, and also the proceeds of any other sale of lands acquired by a sanitary authority under this Act, and any fine paid to a sanitary authority on account of any letting of any such lands, shall be applied towards the discharge of any principal moneys which have been borrowed by such authority on the security of the fund or rate applicable by them for the general purposes of this Act, or, if no such principal moneys are outstanding, shall be carried to the account of such fund or rate.

Expenses of carrying Act into execution. 41 & 42 Vict. c. 52.

17. The expenses incurred by a sanitary authority in execution of this Act shall be special expenses within the meaning of Part Five of the Public Health (Ireland) Act, 1878.

A sanitary authority shall have the same power of borrowing on the credit of the rates out of which special expenses are payable under this Act as they have under the Public Health (Ireland) Act, 1878, for sanitary purposes, and shall have the same power of mortgaging any property acquired by them under this Act as they have of mortgaging land to which section two hundred and thirty-nine of the Public Health (Ireland) Act, 1878, applies.

The following sections of the Public Health (Ireland) Act, 1878, shall be incorporated with this Act; (that is to say),

Section two hundred and thirty-eight, as to regulations concerning the exercise of borrowing powers; except sub-section (1) of that section:

Section two hundred and forty, as to form of mortgages:

Section two hundred and forty-one, as to register of mortgages:

Section two hundred and forty-two, as to transfer of mortgages:

Section two hundred and forty-three, as to the appointment of a receiver:

Section two hundred and forty-seven, as to the borrowing powers of joint boards.

Provided always that no rate or rates to be levied for the purposes of this Act shall in any one year exceed in the whole one shilling in the pound upon the rateable value of the property to be rated.

Advance of money for purposes of Act.

18. The Treasury may authorise the Board of Works to advance from time to time, out of any moneys in their hands, to sanitary authorities, such sums as the Treasury think expedient for the purposes of this Act.

Advances made by the Board of Works to a sanitary authority in pursuance of this section shall be repayable within such periods and at such rate of interest as are set forth in a Minute of the Treasury, made on the sixteenth day of August one thousand eight hundred and seventy-nine, with reference to loans to which section two of the Public Works Loans Act, 1879, applies, or as the Treasury may from time to time fix in pursuance of that section, and, save as regards such periods and rate of interest, the enactments relating to loans made by the Board of Works under the Public Health (Ireland) Act, 1878, shall, so far as is consistent with this section, apply in like manner as if an advance under this section were a loan made in pursuance of those enactments. 42 & 43 Vict. c. 77.

19. The accounts of a rural sanitary authority, acting in execution of this Act, shall be audited in the same manner, and with the same powers in the officers auditing the same, and subject to the same provisions as the accounts of that authority in its character of sanitary authority are for the time being required to be audited according to law. Audit of accounts.

20. The Artizans and Labourers Dwellings Improvement Act, 1875, as amended by any Act or Acts, shall extend to all urban sanitary districts in Ireland containing, according to the last published census, a population of twelve thousand and upwards; and also to any other urban sanitary district in Ireland to which the Local Government Board may by Provisional Order declare that the said Act shall extend. Extension of 38 & 39 Vict. c. 36. to certain towns.

Such Provisional Order may be made by the Local Government Board in the manner in which Provisional Orders are made by them under the Public Health (Ireland) Act, 1878.

No such Provisional Order shall be made except upon the petition of the urban sanitary authority of such sanitary district, nor, in the event of any objection being taken to such petition, until after a local inquiry with respect to such petition has been held by the Local Government Board.

21. In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; (that is to say,) Interpretation of terms.

"Local Government Board" means the Local Government Board for Ireland:

"Lands Clauses Acts" means and includes the Lands Clauses Consolidation Act, 1845, as the same is amended by the Lands Clauses Consolidation Acts Amendment Act, 1860; the Railways Act (Ireland), 1851; the Railways Act (Ireland), 1860; the Railways Act (Ireland), 1864; and the Railway Traverse Act: 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 14 & 15 Vict. c. 70. 23 & 24 Vict. c. 97.

"Treasury" means the Commissioners of Her Majesty's Treasury: 27 & 28 Vict. c. 71.

"Board of Works" means the Commissioners of Public Works in Ireland: 14 & 15 Vict. c. 70.

The term "Agricultural Labourer" means a person who habitually works for hire in agricultural work upon the land of some other person, and whose principal means of living is such hire; and includes a herdsman. The term does not include any person who is not paid for his labour by wages.

Duration of Act.

22. This Act shall continue in force for five years after the passing thereof, and until the end of the session of Parliament next ensuing.

Provided that the expiration of this Act shall not affect or prejudice anything that shall have been done, or any right, title, or security that shall have been previously acquired under this Act; and that the powers of every sanitary authority to carry into operation every scheme that shall have become absolute before such expiration, and all powers of rating and other powers and authorities conferred on them by this Act in relation thereto, shall continue to be in full force and effect as if this Act had not expired.

CHAPTER 61.

An Act for amending the Law relating to Agricultural Holdings in England. [25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

IMPROVEMENTS.

Compensation for Improvements.

General right of tenant to compensation.

1. Subject as in this Act mentioned, where a tenant has made on his holding any improvement comprised in the First Schedule hereto, he shall, on and after the commencement of this Act, be entitled on quitting his holding at the determination of a tenancy to obtain from the landlord as compensation under this Act for such improvement such sum as fairly represents the value of the improvement to an incoming tenant: Provided always, that in estimating the value of any improvement in the First Schedule hereto there shall not be taken into account as part of the improvement made by the tenant what is justly due to the inherent capabilities of the soil.

As to Improvements executed before the Commencement of Act.

Restriction as to improvements before Act.

2. Compensation under this Act shall not be payable in respect of improvements executed before the commencement of this Act, with the exceptions following, that—

(1.) Where a tenant has within ten years before the commencement of this Act made an improvement mentioned in the third part of the First Schedule hereto, and he is not entitled under any contract, or custom, or under the Agricultural Holdings (England) Act, 1875, to compensation in respect of such improvement; or

38 & 39 Vict. c. 92.

(2.) Where a tenant has executed an improvement mentioned in the first or second part of the said First Schedule within ten years previous to the commencement of this Act, and he is not entitled under any contract, or custom, or under the

Agricultural Holdings (England) Act, 1875, to compensation in respect of such improvement, and the landlord within one year after the commencement of this Act declares in writing his consent to the making of such improvement, then such tenant on quitting his holding at the determination of a tenancy after the commencement of this Act may claim compensation under this Act in respect of such improvement in the same manner as if this Act had been in force at the time of the execution of such improvement.

As to Improvements executed after the Commencement of Act.

Consent of landlord as to improvement in First Schedule, Part I.

3. Compensation under this Act shall not be payable in respect of any improvement mentioned in the first part of the First Schedule hereto, and executed after the commencement of this Act, unless the landlord, or his agent duly authorised in that behalf, has, previously to the execution of the improvement and after the passing of this Act, consented in writing to the making of such improvement, and any such consent may be given by the landlord unconditionally, or upon such terms as to compensation, or otherwise, as may be agreed upon between the landlord and the tenant, and in the event of any agreement being made between the landlord and the tenant, any compensation payable thereunder shall be deemed to be substituted for compensation under this Act.

Notice to landlord as to improvement in First Schedule, Part II.

4. Compensation under this Act shall not be payable in respect of any improvement mentioned in the second part of the First Schedule hereto, and executed after the commencement of this Act, unless the tenant has, not more than three months and not less than two months before beginning to execute such improvement, given to the landlord, or his agent duly authorised in that behalf, notice in writing of his intention so to do, and of the manner in which he proposes to do the intended work, and upon such notice being given, the landlord and tenant may agree on the terms as to compensation or otherwise on which the improvement is to be executed, and in the event of any such agreement being made, any compensation payable thereunder shall be deemed to be substituted for compensation under this Act, or the landlord may, unless the notice of the tenant is previously withdrawn, undertake to execute the improvement himself, and may execute the same in any reasonable and proper manner which he thinks fit, and charge the tenant with a sum not exceeding five pounds per centum per annum on the outlay incurred in executing the improvement, or not exceeding such annual sum payable for a period of twenty-five years as will repay such outlay in the said period, with interest at the rate of three per centum per annum, such annual sum to be recoverable as rent. In default of any such agreement or undertaking, and also in the event of the landlord failing to comply with his undertaking within a reasonable time, the tenant may execute the improvement himself, and shall in respect thereof be entitled to compensation under this Act.

The landlord and tenant may, if they think fit, dispense with any notice under this section, and come to an agreement in a lease or otherwise between themselves in the same manner and of the same validity as if such notice had been given.

Reservation as to existing and future contracts of tenancy.

5. Where, in the case of a tenancy under a contract of tenancy current at the commencement of this Act, any agreement in writing or custom, or the Agricultural Holdings (England) Act, 1875, provides specific compensation for any improvement comprised in the First Schedule hereto, compensation in respect of such improvement, although executed after the commencement of this Act, shall be payable in pursuance of such agreement, custom, or Act of Parliament, and shall be deemed to be substituted for compensation under this Act.

Where in the case of a tenancy under a contract of tenancy beginning after the commencement of this Act, any particular agreement in writing secures to the tenant for any improvement mentioned in the third part of the First Schedule hereto, and executed after the commencement of this Act, fair and reasonable compensation, having regard to the circumstances existing at the time of making such agreement, then in such case the compensation in respect of such improvement shall be payable in pursuance of the particular agreement, and shall be deemed to be substituted for compensation under this Act.

The last preceding provision of this section relating to a particular agreement shall apply in the case of a tenancy under a contract of tenancy current at the commencement of this Act in respect of an improvement mentioned in the third part of the First Schedule hereto, specific compensation for which is not provided by any agreement in writing, or custom, or the Agricultural Holdings Act, 1875.

Regulations as to Compensation for Improvements.

Regulations as to compensation for improvements.

6. In the ascertainment of the amount of the compensation under this Act payable to the tenant in respect of any improvement there shall be taken into account in reduction thereof:

(*a.*) Any benefit which the landlord has given or allowed to the tenant in consideration of the tenant executing the improvement; and

(*b.*) In the case of compensation for manures the value of the manure that would have been produced by the consumption on the holding of any hay, straw, roots, or green crops sold off or removed from the holding within the last two years of the tenancy or other less time for which the tenancy has endured, except as far as a proper return of manure to the holding has been made in respect of such produce so sold off or removed therefrom; and

(*c.*) Any sums due to the landlord in respect of rent or in respect of any waste committed or permitted by the tenant, or in respect of any breach of covenant or other agreement connected with the contract of tenancy committed by the tenant, also any taxes, rates, and tithe rentcharge due or becoming due in respect of the holding to which the tenant is liable as between him and the landlord.

There shall be taken into account in augmentation of the tenant's compensation—

(*d.*) Any sum due to the tenant for compensation in respect of a breach of covenant or other agreement connected with a contract of tenancy and committed by the landlord.

Nothing in this section shall enable a landlord to obtain under this Act compensation in respect of waste by the tenant or of breach by the tenant committed or permitted in relation to a matter of husbandry more than four years before the determination of the tenancy.

Procedure.

7. A tenant claiming compensation under this Act shall, two months at least before the determination of the tenancy, give notice in writing to the landlord of his intention to make such claim. Notice of intended claim.

Where a tenant gives such notice, the landlord may, before the determination of the tenancy, or within fourteen days thereafter, give a counter-notice in writing to the tenant of his intention to make a claim in respect of any waste or any breach of covenant or other agreement.

Every such notice and counter-notice shall state, as far as reasonably may be, the particulars and amount of the intended claim.

8. The landlord and the tenant may agree on the amount and mode and time of payment of compensation to be paid under this Act. Compensation agreed or settled by reference.

If in any case they do not so agree the difference shall be settled by a reference.

9. Where there is a reference under this Act, a referee, or two referees and an umpire, shall be appointed as follows:— Appointment of referee or referees and umpire.

(1.) If the parties concur, there may be a single referee appointed by them jointly:

(2.) If before award the single referee dies or becomes incapable of acting, or for seven days after notice from the parties, or either of them, requiring him to act, fails to act, the proceedings shall begin afresh, as if no referee had been appointed:

(3.) If the parties do not concur in the appointment of a single referee, each of them shall appoint a referee:

(4.) If before award one of two referees dies or becomes incapable of acting, or for seven days after notice from either party requiring him to act, fails to act, the party appointing him shall appoint another referee:

(5.) Notice of every appointment of a referee by either party shall be given to the other party:

(6.) If for fourteen days after notice by one party to the other to appoint a referee, or another referee, the other party fails to do so, then, on the application of the party giving notice, the county court shall within fourteen days appoint a competent and impartial person to be a referee:

(7.) Where two referees are appointed, then (subject to the provisions of this Act) they shall before they enter on the reference appoint an umpire:

(8.) If before award an umpire dies or becomes incapable of acting, the referees shall appoint another umpire:

(9.) If for seven days after request from either party the referees fail to appoint an umpire, or another umpire, then, on the application of either party, the county court shall within fourteen days appoint a competent and impartial person to be the umpire.

(10.) Every appointment, notice, and request under this section shall be in writing.

Requisition for appointment of umpire by Land Commissioners, &c.

10. Provided that, where two referees are appointed, an umpire may be appointed as follows:

(1.) If either party, on appointing a referee, requires, by notice in writing to the other, that the umpire shall be appointed by the Land Commissioners for England, then the umpire, and any successor to him, shall be appointed, on the application of either party, by those commissioners.

(2.) In every other case, if either party on appointing a referee requires, by notice in writing to the other, that the umpire shall be appointed by the county court, then, unless the other party dissents by notice in writing therefrom, the umpire, and any successor to him, shall on the application of either party be so appointed, and in case of such dissent the umpire, and any successor to him, shall be appointed, on the application of either party, by the Land Commissioners for England.

Exercise of powers of county court.

11. The powers of the county court under this Act relative to the appointment of a referee or umpire shall be exerciseable by the judge of the court having jurisdiction, whether he is without or within his district, and may, by consent of the parties, be exercised by the registrar of the court.

Mode of submission to reference.

12. The delivery to a referee of his appointment shall be deemed a submission to a reference by the party delivering it; and neither party shall have power to revoke a submission, or the appointment of a referee, without the consent of the other.

Power for referee, &c. to require production of documents, administer oaths, &c.

13. The referee or referees or umpire may call for the production of any sample, or voucher, or other document, or other evidence which is in the possession or power of either party, or which either party can produce, and which to the referee or referees or umpire seems necessary for determination of the matters referred, and may take the examination of the parties and witnesses on oath, and may administer oaths and take affirmations; and if any person so sworn or affirming wilfully and corruptly gives false evidence he shall be guilty of perjury.

Power to proceed in absence.

14. The referee or referees or umpire may proceed in the absence of either party where the same appears to him or them expedient, after notice given to the parties.

Form of award.

15. The award shall be in writing, signed by the referee or referees or umpire.

Time for award of referee or referees.

16. A single referee shall make his award ready for delivery within twenty-eight days after his appointment.

Two referees shall make their award ready for delivery within twenty-eight days after the appointment of the last appointed of them, or within such extended time (if any) as they from time to time jointly fix by writing under their hands, so that they make their award ready for delivery within a time not exceeding in the whole forty-nine days after the appointment of the last appointed of them.

Award in respect of compensation under ss. 3, 4, and 5.

17. In any case provided for by sections three, four, or five, if compensation is claimed under this Act, such compensation as under any of those sections is to be deemed to be substituted for compensation under this Act, if and so far as the same can, con-

sistently with the terms of the agreement, if any, be ascertained by the referees or the umpire, shall be awarded in respect of any improvements thereby provided for, and the award shall, when necessary, distinguish such improvements and the amount awarded in respect thereof; and an award given under this section shall be subject to the appeal provided by this Act.

Reference to and award by umpire.

18. Where two referees are appointed and act, if they fail to make their award ready for delivery within the time aforesaid, then, on the expiration of that time, their authority shall cease, and thereupon the matters referred to them shall stand referred to the umpire.

The umpire shall make his award ready for delivery within twenty-eight days after notice in writing given to him by either party or referee of the reference to him, or within such extended time (if any) as the registrar of the county court from time to time appoints, on the application of the umpire or of either party, made before the expiration of the time appointed by or extended under this section.

Award to give particulars.

19. The award shall not award a sum generally for compensation, but shall, so far as possible, specify—

(*a.*) The several improvements, acts, and things in respect whereof compensation is awarded, and the several matters and things taken into account under the provisions of this Act in reduction or augmentation of such compensation;

(*b.*) The time at which each improvement, act, or thing was executed, done, committed, or permitted;

(*c.*) The sum awarded in respect of each improvement, act, matter, and thing; and

(*d.*) Where the landlord desires to charge his estate with the amount of compensation found due to the tenant, the time at which, for the purposes of such charge, each improvement, act, or thing in respect of which compensation is awarded is to be deemed to be exhausted.

Costs of reference.

20. The costs of and attending the reference, including the remuneration of the referee or referees and umpire, where the umpire has been required to act, and including other proper expenses, shall be borne and paid by the parties in such proportion as to the referee or referees or umpire appears just, regard being had to the reasonableness or unreasonableness of the claim of either party in respect of amount, or otherwise, and to all the circumstances of the case.

The award may direct the payment of the whole or any part of the costs aforesaid by the one party to the other.

The costs aforesaid shall be subject to taxation by the registrar of the county court, on the application of either party, but that taxation shall be subject to review by the judge of the county court.

Day for payment.

21. The award shall fix a day, not sooner than one month after the delivery of the award, for the payment of money awarded for compensation, costs, or otherwise.

Submission not to be removable, &c.

22. A submission or award shall not be made a rule of any court, or be removable by any process into any court, and an award shall not be questioned otherwise than as provided by this Act.

Appeal to county court

23. Where the sum claimed for compensation exceeds one hundred pounds, either party may, within seven days after delivery of the award, appeal against it to the judge of the county court on all or any of the following grounds:

1. That the award is invalid;
2. That the award proceeds wholly or in part upon an improper application of or upon the omission properly to apply the special provisions of sections three, four, or five of this Act;
3. That compensation has been awarded for improvements, acts, or things, breaches of covenants or agreements, or for committing or permitting waste in respect of which the party claiming was not entitled to compensation;
4. That compensation has not been awarded for improvements, acts, or things, breaches of covenants or agreements, or for committing or permitting waste, in respect of which the party claiming was entitled to compensation;

and the judge shall hear and determine the appeal, and may, in his discretion, remit the case to be reheard as to the whole or any part thereof by the referee or referees or umpire, with such directions as he may think fit.

If no appeal is so brought, the award shall be final.

The decision of the judge of the county court on appeal shall be final, save that the judge shall, at the request of either party, state a special case on a question of law for the judgment of the High Court of Justice, and the decision of the High Court on the case, and respecting costs and any other matter connected therewith, shall be final, and the judge of the county court shall act thereon.

Recovery of compensation.

24. Where any money agreed or awarded ~~or ordered on appeal~~ to be paid for compensation, costs, or otherwise, is not paid within fourteen days after the time when it is agreed or awarded ~~or ordered~~ to be paid, it shall be recoverable, upon order made by the judge of the county court, as money ordered by a county court under its ordinary jurisdiction to be paid is recoverable.

Appointment of guardian.

25. Where a landlord or tenant is an infant without a guardian, or is of unsound mind, not so found by inquisition, the county court, on the application of any person interested, may appoint a guardian of the infant or person of unsound mind for the purposes of this Act, and may change the guardian if and as occasion requires.

Provisions respecting married women.

26. Where the appointment of a person to act as the next friend of a married woman is required for the purposes of this Act, the county court may make such appointment, and may remove or change that next friend if and as occasion requires.

45 & 46 Vict. c. 75.

A woman married before the commencement of the Married Women's Property Act, 1882, entitled for her separate use to land, her title to which accrued before such commencement as aforesaid, and not restrained from anticipation, shall, for the purposes of this Act, be in respect of land as if she was unmarried.

Where any other woman married before the commencement of the Married Women's Property Act, 1882, is desirous of doing any act under this Act in respect of land, her title to which accrued before such commencement as aforesaid, her husband's concurrence shall be requisite, and she shall be examined apart from him by

the county court, or by the judge of the county court for the place where she for the time being is, touching her knowledge of the nature and effect of the intended act, and it shall be ascertained that she is acting freely and voluntarily.

Costs in county court.

27. The costs of proceedings in the county court under this Act shall be in the discretion of the court.

The Lord Chancellor may from time to time prescribe a scale of costs for those proceedings, and of costs to be taxed by the registrar of the court.

Service of notice, &c.

28. Any notice, request, demand, or other instrument under this Act may be served on the person to whom it is to be given, either personally or by leaving it for him at his last known place of abode in England, or by sending it through the post in a registered letter addressed to him there; and if so sent by post it shall be deemed to have been served at the time when the letter containing it would be delivered in ordinary course; and in order to prove service by letter it shall be sufficient to prove that the letter was properly addressed and posted, and that it contained the notice, request, demand, or other instrument to be served.

Charge of Tenant's Compensation.

Power for landlord on paying compensation to obtain charge.

29. A landlord, on paying to the tenant the amount due to him in respect of compensation under this Act, or in respect of compensation authorised by this Act to be substituted for compensation under this Act, or on expending such amount as may be necessary to execute an improvement under the second part of the First Schedule hereto, after notice given by the tenant of his intention to execute such improvement in accordance with this Act, shall be entitled to obtain from the county court a charge on the holding, or any part thereof, to the amount of the sum so paid or expended.

The court shall, on proof of the payment or expenditure, and on being satisfied of the observance in good faith by the parties of the conditions imposed by this Act, make an order charging the holding, or any part thereof, with repayment of the amount paid or expended, with such interest, and by such instalments, and with such directions for giving effect to the charge, as the court thinks fit.

But, where the landlord obtaining the charge is not absolute owner of the holding for his own benefit, no instalment or interest shall be made payable after the time when the improvement in respect whereof compensation is paid will [where an award has been made, be taken to have been exhausted according to the declaration of the award, and in] any other case after the time when any such improvement will, in the opinion of the court, after hearing such evidence (if any) as it thinks expedient, have become exhausted.

The instalments and interest shall be charged in favour of the landlord, his executors, administrators, and assigns.

The estate or interest of any landlord holding for an estate or interest determinable or liable to forfeiture by reason of his creating or suffering any charge thereon shall not be determined or forfeited by reason of his obtaining a charge under this Act, anything in any deed, will, or other instrument to the contrary thereof notwithstanding.

45 & 46 Vict. c. 38.

Capital money arising under the Settled Land Act, 1882, may be applied in payment of any moneys expended and costs incurred by a landlord under or in pursuance of this Act in or about the execution of any improvement mentioned in the first or second parts of the schedule hereto, as for an improvement authorised by the said Settled Land Act; and such money may also be applied in discharge of any charge created on a holding under or in pursuance of this Act in respect of any such improvement as aforesaid, as in discharge of an incumbrance authorised by the said Settled Land Act to be discharged out of such capital money.

Incidence of charge.

30. The sum charged by the order of a county court under this Act shall be a charge on the holding, or the part thereof charged, for the landlord's interest therein, and for all interests therein subsequent to that of the landlord; but so that the charge shall not extend beyond the interest of the landlord, his executors, administrators, and assigns, in the tenancy where the landlord is himself a tenant of the holding.

Provision in case of trustee.

31. Where the landlord is a person entitled to receive the rents and profits of any holding as trustee, or in any character otherwise than for his own benefit, the amount due from such landlord in respect of compensation under this Act, or in respect of compensation authorised by this Act to be substituted for compensation under this Act, shall be charged and recovered as follows and not otherwise; (that is to say,)

(1.) The amount so due shall not be recoverable personally against such landlord, nor shall he be under any liability to pay such amount, but the same shall be a charge on and recoverable against the holding only.

(2.) Such landlord shall, either before or after having paid to the tenant the amount due to him, be entitled to obtain from the county court a charge on the holding to the amount of the sum required to be paid or which has been paid, as the case may be, to the tenant.

(3.) If such landlord neglect or fail within one month after the tenant has quitted his holding to pay to the tenant the amount due to him, then after the expiration of such one month the tenant shall be entitled to obtain from the county court in favour of himself, his executors, administrators, and assigns, a charge on the holding to the amount of the sum due to him, and of all costs properly incurred by him in obtaining the charge or in raising the amount due thereunder.

(4.) The court shall on proof of the tenant's title to have a charge made in his favour make an order charging the holding with payment of the amount of the charge, including costs, in like manner and form as in case of a charge which a landlord is entitled to obtain.

Advance made by a company.

32. Any company now or hereafter incorporated by Parliament, and having power to advance money for the improvement of land, may take an assignment of any charge made by a county court under the provisions of this Act, upon such terms and conditions as may be agreed upon between such company and the person entitled to such charge; and such company may assign any charge so acquired by them to any person or persons whomsoever.

Notice to Quit.

Time of notice to quit.

33. Where a half-year's notice, expiring with a year of tenancy is by law necessary and sufficient for determination of a tenancy from year to year, in the case of any such tenancy under a contract of tenancy made either before or after the commencement of this Act, a year's notice so expiring shall by virtue of this Act be necessary and sufficient for the same, unless the landlord and tenant of the holding, by writing under their hands, agree that this section shall not apply, in which case a half year's notice shall continue to be sufficient; but nothing in this section shall extend to a case where the tenant is adjudged bankrupt, or has filed a petition for a composition or arrangement with his creditors.

Fixtures.

Tenant's property in fixtures, machinery, &c.

34. Where after the commencement of this Act a tenant affixes to his holding any engine, machinery, fencing, or other fixture, or erects any building for which he is not under this Act or otherwise entitled to compensation, and which is not so affixed or erected in pursuance of some obligation in that behalf or instead of some fixture or building belonging to the landlord, then such fixture or building shall be the property of and be removable by the tenant before or within a reasonable time after the termination of the tenancy.

Provided as follows:—

1. Before the removal of any fixture or building the tenant shall pay all rent owing by him, and shall perform or satisfy all other his obligations to the landlord in respect to the holding:
2. In the removal of any fixture or building the tenant shall not do any avoidable damage to any other building or other part of the holding:
3. Immediately after the removal of any fixture or building the tenant shall make good all damage occasioned to any other building or other part of the holding by the removal:
4. The tenant shall not remove any fixture or building without giving one month's previous notice in writing to the landlord of the intention of the tenant to remove it:
5. At any time before the expiration of the notice of removal the landlord, by notice in writing given by him to the tenant, may elect to purchase any fixture or building comprised in the notice of removal, and any fixture or building thus elected to be purchased shall be left by the tenant, and shall become the property of the landlord, who shall pay the tenant the fair value thereof to an incoming tenant of the holding; and any difference as to the value shall be settled by a reference under this Act, as in case of compensation (but without appeal).

Crown and Duchy Lands.

Application of Act to Crown lands.

35. This Act shall extend and apply to land belonging to Her Majesty the Queen, her heirs and successors, in right of the Crown.

With respect to such land, for the purposes of this Act, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or one of them, or other the proper officer or body having charge of such land for the time being, or in case there is no such officer or body, then such person as Her Majesty, her heirs or successors, may appoint in writing under the Royal Sign Manual, shall represent Her Majesty, her heirs and successors, and shall be deemed to be the landlord.

Any compensation payable under this Act by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, in respect of an improvement mentioned in the first or second part of the First Schedule hereto, shall be deemed to be payable in respect of an improvement of land within section one of the Crown Lands Act, 1866, and the amount thereof shall be charged and repaid as in that section provided with respect to the costs, charges, and expenses therein mentioned.

Any compensation payable under this Act by those Commissioners, or either of them, in respect of an improvement mentioned in the third part of the First Schedule hereto, shall be deemed to be part of the expenses of the management of the Land Revenues of the Crown, and shall be payable to those Commissioners out of such money and in such manner as the last-mentioned expenses are by law payable.

Application of Act to land of Duchy of Lancaster.

36. This Act shall extend and apply to land belonging to Her Majesty, her heirs and successors, in right of the Duchy of Lancaster.

With respect to such land for the purposes of this Act, the Chancellor for the time being of the Duchy shall represent Her Majesty, her heirs and successors, and shall be deemed to be the landlord.

The amount of any compensation payable under this Act by the Chancellor of the Duchy in respect of an improvement mentioned in the first or second part of the First Schedule to this Act shall be deemed to be an expense incurred in improvement of land belonging to Her Majesty, her heirs or successors, in right of the Duchy, within section twenty-five of the Act of the fifty-seventh year of King George the Third, chapter ninety-seven, and shall be raised and paid as in that section provided with respect to the expenses therein mentioned.

The amount of any compensation payable under this Act by the Chancellor of the Duchy in respect of an improvement mentioned in the third part of the First Schedule to this Act shall be paid out of the annual revenues of the Duchy.

Application of Act to land of Duchy of Cornwall.

37. This Act shall extend and apply to land belonging to the Duchy of Cornwall.

With respect to such land, for the purposes of this Act, such person as the Duke of Cornwall for the time being, or other the personage for the time being entitled to the revenues and possessions of the Duchy of Cornwall, from time to time, by sign manual, warrant, or otherwise, appoints, shall represent the Duke of Cornwall or other the personage aforesaid, and be deemed to be the landlord, and may do any act or thing under this Act which a landlord is authorised or required to do thereunder.

Any compensation payable under this Act by the Duke of Cornwall, or other the personage aforesaid, in respect of an improvement mentioned in the first or second part of the First Schedule to this Act shall be deemed to be payable in respect of an improvement of land within section eight of the Duchy of Cornwall Management Act, 1863, and the amount thereof may be advanced and paid from the money mentioned in that section, subject to the provision therein made for repayment of sums advanced for improvements. 26 & 27 Vict. c. 49.

Ecclesiastical and Charity Lands.

38. Where lands are assigned or secured as the endowment of a see, the powers by this Act conferred on a landlord shall not be exercised by the archbishop or bishop, in respect of those lands, except with the previous approval in writing of the Estates Committee of the Ecclesiastical Commissioners for England. Landlord, archbishop or bishop.

39. Where a landlord is incumbent of an ecclesiastical benefice, the powers by this Act conferred on a landlord shall not be exercised by him in respect of the glebe land or other land belonging to the benefice, except with the previous approval in writing of the patron of the benefice, that is, the person, officer, or authority who, in case the benefice were vacant, would be entitled to present thereto, or of the Governors of Queen Anne's Bounty (that is, the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy). Landlord, incumbent of benefice.

In every such case the Governors of Queen Anne's Bounty may, if they think fit, on behalf of the incumbent, out of any money in their hands, pay to the tenant the amount of compensation due to him under this Act; and thereupon they may, instead of the incumbent, obtain from the county court a charge on the holding, in respect thereof, in favour of themselves.

Every such charge shall be effectual, notwithstanding any change of the incumbent.

40. The powers by this Act conferred on a landlord in respect of charging the land shall not be exercised by trustees for ecclesiastical or charitable purposes, except with the previous approval in writing of the Charity Commissioners for England and Wales. Landlord, charity trustees, &c.

Resumption for Improvements, and Miscellaneous.

41. Where on a tenancy from year to year a notice to quit is given by the landlord with a view to the use of land for any of the following purposes: Resumption of possession for cottages, &c.

The erection of farm labourers cottages or other houses, with or without gardens;

The providing of gardens for existing farm labourers cottages or other houses;

The allotment for labourers of land for gardens or other purposes;

The planting of trees;

The opening or working of any coal, ironstone, limestone, or other mineral, or of a stone quarry, clay, sand, or gravel pit, or the construction of any works or buildings to be used in connexion therewith;

The obtaining of brick earth, gravel, or sand;

The making of a watercourse or reservoir;

The making of any road, railway, tramroad, siding, canal, or basin, or any wharf, pier, or other work connected therewith;

and the notice to quit so states, then it shall, by virtue of this Act, be no objection to the notice that it relates to part only of the holding.

In every such case the provisions of this Act respecting compensation shall apply as on determination of a tenancy in respect of an entire holding.

The tenant shall also be entitled to a proportionate reduction of rent in respect of the land comprised in the notice to quit, and in respect of any depreciation of the value to him of the residue of the holding, caused by the withdrawal of that land from the holding or by the use to be made thereof, and the amount of that reduction shall be ascertained by agreement or settled by a reference under this Act, as in case of compensation (but without appeal).

The tenant shall further be entitled, at any time within twenty-eight days after service of the notice to quit, to serve on the landlord a notice in writing to the effect that he (the tenant) accepts the same as a notice to quit the entire holding, to take effect at the expiration of the then current year of tenancy; and the notice to quit shall have effect accordingly.

Provision as to limited owners.

42. Subject to the provisions of this Act in relation to Crown, duchy, ecclesiastical, and charity lands, a landlord, whatever may be his estate or interest in his holding, may give any consent, make any agreement, or do or have done to him any act in relation to improvements in respect of which compensation is payable under this Act which he might give or make or do or have done to him if he were in the case of an estate of inheritance owner thereof in fee, and in the case of a leasehold possessed of the whole estate in the leasehold.

Provision in case of reservation of rent.

43. When, by any Act of Parliament, deed, or other instrument, a lease of a holding is authorised to be made, provided that the best rent, or reservation in the nature of rent, is by such lease reserved, then, whenever any lease of a holding is, under such authority, made to the tenant of the same, it shall not be necessary, in estimating such rent or reservation, to take into account against the tenant the increase (if any) in the value of such holding arising from any improvements made or paid for by him on such holding.

PART II.

Distress.

Limitation of distress in respect of amount and time.

44. After the commencement of this Act it shall not be lawful for any landlord entitled to the rent of any holding to which this Act applies to distrain for rent, which became due in respect of such holding, more than one year before the making of such distress, except in the case of arrears of rent in respect of a holding to which this Act applies existing at the time of the passing of this Act, which arrears shall be recoverable by distress up to the first day of January one thousand eight hundred and eighty-five to the same extent as if this Act had not passed.

Provided that where it appears that according to the ordinary course of dealing between the landlord and tenant of a holding the

payment of the rent of such holding has been allowed to be deferred until the expiration of a quarter of a year or half a year after the date at which such rent legally became due, then for the purpose of this section the rent of such holding shall be deemed to have become due at the expiration of such quarter or half year as aforesaid, as the case may be, and not at the date at which it legally became due.

Limitation of distress in respect of things to be distrained.

45. Where live stock belonging to another person has been taken in by the tenant of a holding to which this Act applies to be fed at a fair price agreed to be paid for such feeding by the owner of such stock to the tenant, such stock shall not be distrained by the landlord for rent where there is other sufficient distress to be found, and if so distrained by reason of other sufficient distress not being found, there shall not be recovered by such distress a sum exceeding the amount of the price so agreed to be paid for the feeding, or if any part of such price has been paid exceeding the amount remaining unpaid, and it shall be lawful for the owner of such stock, at any time before it is sold, to redeem such stock by paying to the distrainer a sum equal to such price as aforesaid, and any payment so made to the distrainer shall be in full discharge as against the tenant of any sum of the like amount which would be otherwise due from the owner of the stock to the tenant in respect of the price of feeding: Provided always, that so long as any portion of such live stock shall remain on the said holding the right to distrain such portion shall continue to the full extent of the price originally agreed to be paid for the feeding of the whole of such live stock, or if part of such price has been bonâ fide paid to the tenant under the agreement, then to the full extent of the price then remaining unpaid.

Agricultural or other machinery which is the bonâ fide property of a person other than the tenant, and is on the premises of the tenant under a bonâ fide agreement with him for the hire or use thereof in the conduct of his business, and live stock of all kinds which is the bonâ fide property of a person other than the tenant, and is on the premises of the tenant solely for breeding purposes, shall not be distrained for rent in arrear.

Remedy for wrongful distress under this Act.

46. Where any dispute arises—

(*a*) in respect of any distress having been levied contrary to the provisions of this Act; or

(*b*) as to the ownership of any live stock distrained, or as to the price to be paid for the feeding of such stock; or

(*c*) as to any other matter or thing relating to a distress on a holding to which this Act applies:

such dispute may be heard and determined by the county court or by a court of summary jurisdiction, and any such county court or court of summary jurisdiction may make an order for restoration of any live stock or things unlawfully distrained, or may declare the price agreed to be paid in the case where the price of the feeding is required to be ascertained, or may make any other order which justice requires: any such dispute as mentioned in this section shall be deemed to be a matter in which a court of summary jurisdiction has authority by law to make an order on complaint in pursuance of the Summary Jurisdiction Acts; but any person

aggrieved by any decision of such court of summary jurisdiction under this section may, on giving such security to the other party as the court may think just, appeal to a court of general or quarter sessions.

Set-off of compensation against rent.

47. Where the compensation due under this Act, or under any custom or contract, to a tenant has been ascertained before the landlord distrains for rent due, the amount of such compensation may be set off against the rent due, and the landlord shall not be entitled to distrain for more than the balance.

Exclusion of certiorari.

48. An order of the county court or of a court of summary jurisdiction under this Act shall not be quashed for want of form, or be removed by certiorari or otherwise into any superior court.

Limitation of costs in case of distress.

49. No person whatsoever making any distress for rent on a holding to which this Act applies when the sum demanded and due shall exceed the sum of twenty pounds for or in respect of such rent shall be entitled to any other or more costs and charges for and in respect of such distress or any matter or thing done therein than such as are fixed and set forth in the Second Schedule hereto.

Repeal of 2 W. and M. c. 5. s. 1 as to appraisement and sale at public auction.

50. So much of an Act passed in the second year of the reign of their Majesties King William the Third and Mary, chapter five, as requires appraisement before sale of goods distrained is hereby repealed as respects any holding to which this Act applies, and the landlord or other person levying a distress on such holding may sell the goods and chattels distrained without causing them to be previously appraised; and for the purposes of sale the goods and chattels distrained shall, at the request in writing of the tenant or owner of such goods and chattels, be removed to a public auction room or to some other fit and proper place specified in such request, and be there sold. The costs and expenses attending any such removal, and any damage to the goods and chattels arising therefrom, shall be borne and paid by the party requesting the removal.

Extension of time to replevy at request of tenant.

51. The period of five days provided in the said Act of William and Mary, chapter five, within which the tenant or owner of goods and chattels distrained may replevy the same shall, in the case of any distress on a holding to which this Act applies, be extended to a period of not more than fifteen days, if the tenant or such owner make a request in writing in that behalf to the landlord or other person levying the distress, and also give security for any additional costs that may be occasioned by such extension of time. Provided that the landlord or person levying the distress may, at the written request or with the written consent of the tenant, or such owner as aforesaid, sell the goods and chattels distrained or part of them at any time before the expiration of such extended period as aforesaid.

Bailiffs to be appointed by county court judges.

52. From and after the commencement of this Act no person shall act as a bailiff to levy any distress on any holding to which this Act applies unless he shall be authorised to act as a bailiff by a certificate in writing under the hand of the judge of a county court; and every county court judge shall, on or before the thirty-first day of December one thousand eight hundred and eighty-three, and afterwards from time to time as occasion shall require, appoint a competent number of fit and proper persons to act as such bailiffs as aforesaid. If any person so appointed shall be proved to the

satisfaction of the said judge to have been guilty of any extortion or other misconduct in the execution of his duty as a bailiff, he shall be liable to have his appointment summarily cancelled by the said judge.

PART III.

General Provisions.

Commencement of Act.

53. This Act shall come into force on the first day of January one thousand eight hundred and eighty-four, which day is in this Act referred to as the commencement of this Act.

Holdings to which Act applies.

54. Nothing in this Act shall apply to a holding that is not either wholly agricultural or wholly pastoral, or in part agricultural, and as to the residue pastoral, or in whole or in part cultivated as a market garden, or to any holding let to the tenant during his continuance in any office, appointment, or employment held under the landlord.

Avoidance of agreement inconsistent with Act.

55. Any contract, agreement, or covenant made by a tenant, by virtue of which he is deprived of his right to claim compensation under this Act in respect of any improvement mentioned in the First Schedule hereto (except an agreement providing such compensation as is by this Act permitted to be substituted for compensation under this Act), shall, so far as it deprives him of such right, be void both at law and in equity.

Right of tenant in respect of improvement purchased from outgoing tenant.

56. Where an incoming tenant has, with the consent in writing of his landlord, paid to an outgoing tenant any compensation payable under or in pursuance of this Act in respect of the whole or part of any improvement, such incoming tenant shall be entitled on quitting the holding to claim compensation in respect of such improvement or part in like manner, if at all, as the outgoing tenant would have been entitled if he had remained tenant of the holding, and quitted the holding at the time at which the incoming tenant quits the same.

Compensation under this Act to be exclusive.

57. A tenant shall not be entitled to claim compensation by custom or otherwise than in manner authorised by this Act in respect of any improvement for which he is entitled to compensation under or in pursuance of this Act, but where he is not entitled to compensation under or in pursuance of this Act he may recover compensation under any other Act of Parliament, or any agreement or custom, in the same manner as if this Act had not passed.

Provision as to change of tenancy.

58. A tenant who has remained in his holding during a change or changes of tenancy shall not thereafter on quitting his holding at the determination of a tenancy be deprived of his right to claim compensation in respect of improvements by reason only that such improvements were made during a former tenancy or tenancies, and not during the tenancy at the determination of which he is quitting.

Restriction in respect of improvements by tenant about to quit.

59. Subject as in this section mentioned, a tenant shall not be entitled to compensation in respect of any improvements, other than manures as defined by this Act, begun by him, if he holds from year to year, within one year before he quits his holding, or at any time after he has given or received final notice to quit, and, if he holds as a lessee, within one year before the expiration of his lease.

A final notice to quit means a notice to quit which has not been waived or withdrawn, but has resulted in the tenant quitting his holding.

The foregoing provisions of this section shall not apply in the case of any such improvement as aforesaid—

(1.) Where a tenant from year to year has begun such improvement during the last year of his tenancy, and, in pursuance of a notice to quit thereafter given by the landlord, has quitted his holding at the expiration of that year; and

(2.) Where a tenant, whether a tenant from year to year or a lessee, previously to beginning any such improvement, has served notice on his landlord of his intention to begin the same, and the landlord has either assented or has failed for a month after the receipt of the notice to object to the making of the improvement.

General saving of rights.

60. Except as in this Act expressed, nothing in this Act shall take away, abridge, or prejudicially affect any power, right, or remedy of a landlord, tenant, or other person vested in or exerciseable by him by virtue of any other Act or law, or under any custom of the country, or otherwise, in respect of a contract of tenancy or other contract, or of any improvements, waste emblements, tillages, away-going crops, fixtures, tax, rate, tithe rentcharge, rent, or other thing.

Interpretation.

61. In this Act—

"Contract of tenancy" means a letting of or agreement for the letting land for a term of years, or for lives, or for lives and years, or from year to year:

A tenancy from year to year under a contract of tenancy current at the commencement of the Act shall for the purposes of this Act be deemed to continue to be a tenancy under a contract of tenancy current at the commencement of this Act until the first day on which either the landlord or tenant of such tenancy could, the one by giving notice to the other immediately after the commencement of this Act, cause such tenancy to determine, and on and after such day as aforesaid shall be deemed to be a tenancy under a contract of tenancy beginning after the commencement of this Act:

"Determination of tenancy" means the cesser of a contract of tenancy by reason of effluxion of time, or from any other cause:

"Landlord" in relation to a holding means any person for the time being entitled to receive the rents and profits of any holding:

"Tenant" means the holder of land under a landlord for a term of years, or for lives, or for lives and years, or from year to year:

"Tenant" includes the executors, administrators, assigns, legatee, devisee, or next-of-kin, husband, guardian, committee of the estate or trustees in bankruptcy of a tenant, or any person deriving title from a tenant; and the right to receive compensation in respect of any improvement made by a tenant shall enure to the benefit of such executors, administrators assigns, and other persons as aforesaid:

"Holding" means any parcel of land held by a tenant:

"County court," in relation to a holding, means the county court within the district whereof the holding or the larger part thereof is situate:

"Person" includes a body of persons and a corporation aggregate or sole:

"Live stock" includes any animal capable of being distrained:

"Manures" means any of the improvements numbered twenty-two and twenty-three in the third part of the First Schedule hereto:

The designations of landlord and tenant shall continue to apply to the parties until the conclusion of any proceedings taken under or in pursuance of this Act in respect of compensation for improvements, or under any agreement made in pursuance of this Act.

Repeal of Acts of 1875 and 1876.

62. On and after the commencement of this Act, the Agricultural Holdings (England) Act, 1875, and the Agricultural Holdings (England) Act, 1875, Amendment Act, 1876, shall be repealed.

Provided that such repeal shall not affect—

(*a.*) any thing duly done or suffered, or any proceedings pending under or in pursuance of any enactment hereby repealed; or

(*b.*) any right to compensation in respect of improvements to which the Agricultural Holdings (England) Act, 1875, applies, and which were executed before the commencement of this Act; or

(*c.*) any right to compensation in respect of any improvement to which the Agricultural Holdings (England) Act, 1875, applies, although executed by a tenant after the commencement of this Act if made under a contract of tenancy current at the commencement of this Act; or

(*d.*) any right in respect of fixtures affixed to a holding before the commencement of this Act;

and any right reserved by this section may be enforced after the commencement of this Act in the same manner in all respects as if no such repeal had taken place.

Short title of Act.

63. This Act may be cited for all purposes as the Agricultural Holdings (England) Act, 1883.

Limits of Act.

64. This Act shall not apply to Scotland or Ireland.

FIRST SCHEDULE.

PART I.

IMPROVEMENTS TO WHICH CONSENT OF LANDLORD IS REQUIRED.

(1.) Erection or enlargement of buildings.
(2.) Formation of silos.
(3.) Laying down of permanent pasture.
(4.) Making and planting of osier beds.
(5.) Making of water meadows or works of irrigation.
(6.) Making of gardens.
(7.) Making or improving of roads or bridges.
(8.) Making or improving of watercourses, ponds, wells, or reservoirs, or of works for the application of water power or for supply of water for agricultural or domestic purposes.
(9.) Making of fences.

(10.) Planting of hops.
(11.) Planting of orchards or fruit bushes.
(12.) Reclaiming of waste land.
(13.) Warping of land.
(14.) Embankment and sluices against floods.

PART II.

Improvement in respect of which notice to Landlord is required.

(15.) Drainage.

PART III.

Improvements to which consent of Landlord is not required.

(16.) Boning of land with undissolved bones.
(17.) Chalking of land.
(18.) Clay-burning.
(19.) Claying of land.
(20.) Liming of land.
(21.) Marling of land.
(22.) Application to land of purchased artificial or other purchased manure.
(23.) Consumption on the holding by cattle, sheep, or pigs of cake or other feeding stuff not produced on the holding.

SECOND SCHEDULE.

Section 49.

Levying distress. Three per centum on any sum exceeding 20*l.* and not exceeding 50*l.* Two and a half per centum on any sum exceeding 50*l.*

To bailiff for levy, 1*l.* 1*s.*

To man in possession, if boarded, 3*s.* 6*d.* per day; if not boarded, 5*s.* per day.

For advertisements the sum actually paid.

To auctioneer. For sale five pounds per centum on the sum realised not exceeding 100*l.*, and four per centum on any additional sum realised not exceeding 100*l.*, and on any sum exceeding 200*l.* three per centum. A fraction of 1*l.* to be in all cases considered 1*l.*

Reasonable costs and charges where distress is withdrawn or where no sale takes place, and for negotiations between landlord and tenant respecting the distress; such costs and charges in case the parties differ to be taxed by the registrar of the county court of the district in which the distress is made.

CHAPTER 62.

An Act for amending the Law relating to Agricultural Holdings in Scotland. [25th August 1883.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Compensation for Improvements.

General right of tenant to compensation.

1. Subject as in this Act mentioned, a tenant who has made on his holding any improvement specified in the schedule hereto, shall, from and after the commencement of this Act, be entitled on

quitting his holding at the determination of a tenancy to obtain from the landlord as compensation under this Act for such improvement such sum as fairly represents the value of the improvement to an incoming tenant: Provided always, that in estimating the value of any improvement in the schedule hereto there shall not be taken into account as part of the improvement made by the tenant what is justly due to the inherent capabilities of the soil.

As to Improvements executed before the Commencement of Act.

Restriction as to improvements before Act.

2. Compensation under this Act shall not be payable in respect of improvements executed before the commencement of this Act, with these exceptions, namely,—

(1.) Where a tenant has within ten years before the commencement of this Act executed an improvement specified in the third part of the schedule hereto which he was not under an express obligation to make, and he is not entitled under any contract or custom to compensation in respect of such improvement; or

(2.) Where a tenant has executed an improvement mentioned in the first or second part of this schedule within ten years previous to the commencement of this Act, and he is not entitled under any contract or custom to compensation in respect of such improvement, and the landlord, within one year after the commencement of this Act, declares in writing his consent to the making of the improvement.

In either of these cases the tenant, on quitting his holding at the determination of the tenancy after the commencement of this Act, may claim compensation under this Act in respect of the improvement which he has executed in the same manner as if this Act had been in force at the time of the execution of such improvement.

As to Improvements executed after the Commencement of Act.

Consent of landlord as to improvements in first part of schedule.

3. Compensation under this Act shall not be payable in respect of any improvement specified in the first part of the schedule hereto, and executed after the commencement of this Act, unless the landlord, or his agent duly authorised on that behalf, has previously to the execution of the improvement, and after the passing of this Act, consented in writing to the execution of such improvement, and any such consent may be given by the landlord unconditionally, or upon such terms as to compensation, or otherwise, as may be agreed upon between the landlord and the tenant, and in the event of any agreement being made between the landlord and the tenant, the compensation payable thereunder shall be deemed to be substituted for compensation under this Act.

Notice to landlord as to improvements in second part of schedule.

4. Compensation under this Act shall not be payable in respect of any improvement specified in the second part of the schedule hereto, and executed after the commencement of this Act, unless the tenant has, not more than three months and not less than two months before beginning to execute such improvement, given to the landlord, or his duly authorised agent, notice in writing of his intention so to do, and of the manner in which he proposes to do the intended work, and upon such notice being given, the landlord

and tenant may agree on the terms as to compensation or otherwise on which the improvement is to be executed, and in the event of an agreement being made, that the improvement is to be executed by the tenant, the compensation payable thereunder shall be deemed to be substituted for compensation under this Act, or the landlord may undertake to execute the improvement himself, and unless the notice is previously withdrawn, proceed to do so in any reasonable and proper manner which he thinks fit, and charge the tenant with a sum not exceeding five pounds per centum per annum on the outlay incurred in executing the improvement, or not exceeding such annual sum, payable for a period of twenty-five years, as will repay such outlay in the said period, with interest at the rate of three per centum per annum, such annual sums to be recoverable as rent. In default of any such agreement or undertaking, and also in the event of the landlord failing to comply with his undertaking within a reasonable time, the tenant may execute the improvement himself, and shall, in respect thereof, be entitled to compensation under this Act.

Where in the case of a tenancy under a lease current at the passing of this Act there is in such lease, or in any relative writing made prior to the passing hereof, an express stipulation limiting the outlay on any improvement specified in the second part of the schedule hereto, the tenant shall have no claim to compensation under this Act for any such improvement in excess of the sum provided for in such stipulation.

The landlord and tenant may, if they think fit, dispense with any notice under this section, and come to an agreement in terms of the lease or otherwise between themselves in the same manner and of the same validity as if such notice had been given.

Reservation as to existing and future leases.

5. Where, in the case of a tenancy under a lease current at the commencement of this Act, any agreement in writing or custom provides specific compensation for any improvement specified in the schedule hereto, compensation in respect of such improvement, although executed after the commencement of this Act, shall be payable in pursuance of such agreement or custom, and shall be deemed to be substituted for compensation under this Act.

Where, in the case of a tenancy under a lease beginning after the commencement of this Act, any particular agreement in writing secures to the tenant for any improvement specified in the third part of the schedule hereto, and executed after the commencement of this Act, fair and reasonable compensation, having regard to the circumstances existing at the time of making such agreement, then in such case the compensation in respect of such improvement shall be payable in pursuance of the particular agreement and not under this Act.

The last preceding provision of this section relating to a particular agreement shall apply in the case of a tenancy under a lease current at the commencement of this Act in respect of an improvement specified in the third part of the schedule hereto, specific compensation for which is not provided by any agreement in writing or custom.

Regulations as to Compensation for Improvements.

Compensation for improvements.

6. In the ascertainment of the amount of the compensation under this Act payable to the tenant in respect of any improvement there shall be taken into account in reduction thereof:

(*a.*) Any benefit which the landlord has given or allowed to the tenant in consideration of the tenant executing the improvement; and

(*b.*) In the case of compensation for manures the value of the manure that would have been produced by the consumption on the holding, according to the rules of good husbandry or according to the terms of any written contract specifying such rules, of any crops sold off or removed from the holding within the last two years of the tenancy or other less time for which the tenancy has endured, except in so far as a proper return of manure to the holding has been made in respect of such produce so sold off or removed.

The amount of compensation payable to the tenant shall be subject to deduction of any sums due to the landlord:

(1.) For rent payable in respect of the holding;

(2.) For any taxes, rates, or public burdens, or interest, moneys payable in respect of drainage, premiums of insurance payable in respect of the holding for which the tenant is liable as between him and the landlord;

(3.) For the breach of any stipulation of the lease, or of any contract relative to the lease, committed by the tenant;

(4.) For any deterioration committed or permitted by the tenant;

There shall be added to the tenant's compensation any sum due to the tenant for compensation in respect of a breach of any stipulation of a lease, or other contract relative to a lease, committed by the landlord.

Nothing in this section shall enable a landlord to obtain under this Act compensation in respect of deterioration by the tenant or of breach of any stipulation by the tenant committed or permitted in relation to cultivation or management more than four years before the determination of the tenancy.

Procedure.

Notice of intended claim.

7. Notwithstanding anything in this Act, a tenant shall not be entitled to compensation under this Act unless four months at least before the determination of the tenancy he gives notice in writing to the landlord of his intention to make a claim for compensation under this Act.

Where a tenant gives such a notice the landlord may, before the determination of the tenancy, or within fourteen days thereafter, give a counter-notice in writing to the tenant of his intention to make a claim for compensation under this Act.

Every such notice and counter-notice shall state, as far as reasonably may be, the particulars and amount of the intended claim.

Compensation agreed or settled by reference.

8. The landlord and the tenant may agree on the amount and mode and time of payment of compensation to be paid to the tenant or to the landlord under this Act.

If in any case they do not so agree the difference shall be settled by a reference.

Appointment of referee or referees and oversman.

9. Where there is a reference under this Act, a single referee, or two referees and an oversman, shall be appointed as follows:

(1.) If the parties concur, a single referee may be appointed by them jointly:

(2.) If before an award is pronounced the single referee dies or becomes incapable of acting, or for seven days after notice from the parties of his appointment he fails to accept the reference and to act, the proceedings shall begin afresh, as if no referee had been appointed:

(3.) If the parties do not concur in the appointment of a single referee, each of them shall appoint a referee:

(4.) If before an award is pronounced one of two referees dies or becomes incapable of acting, or for seven days after notice from the party appointing him of his appointment fails to accept the reference and to act, the party appointing him shall appoint another referee:

(5.) Notice of every appointment of a referee by either party shall be given to the other party:

(6.) If for seven days after notice by one party to the other to appoint a referee, or failing a referee appointed, another referee, the other party fails to do so, then, on the application of the party giving notice, the sheriff shall within fourteen days appoint a competent and impartial person to be a referee:

(7.) Where two referees are appointed they shall before they enter on the reference appoint an oversman:

(8.) If before an award is pronounced an oversman dies or becomes incapable of acting, the referees shall appoint another oversman:

(9.) If for seven days after request from either party the referees fail to appoint an oversman, or failing an oversman appointed, another oversman, then, on the application of either party, the sheriff shall within fourteen days appoint a competent and impartial person to be the oversman:

(10.) Every appointment, notice, and request under this section shall be in writing.

The powers of the sheriff under this section shall be exerciseable by him although he may not be at the time within the county.

Requisition for appointment of oversman by the sheriff.

10. Where two referees are appointed, an oversman may be appointed, as follows:

If either party on appointing a referee requires by notice in writing to the other that the oversman shall be appointed by the sheriff, then the oversman and any successor to him shall be appointed, on the application of either party, by the sheriff.

Mode of submission to reference.

11. The delivery to a referee of his appointment shall be deemed a submission to a reference by the party delivering it, and neither party shall have power to revoke a submission, or the appointment of a referee, without the consent of the other.

Power for referee, &c. to require production of documents, administer oaths, &c

12. The referee or referees or oversman may call for the production of any sample or voucher or other document or evidence which is in the possession or power of either party, or which either party can produce, and which seems to the referee or referees or oversman necessary for the determination of the matters referred,

and may take the examination of the parties and witnesses on oath, and may administer oaths and take affirmations; and if any person so sworn or affirming wilfully and corruptly gives false evidence he shall be guilty of perjury.

13. The referee or referees or oversman may proceed in the absence of either party where this course appears to him or them expedient after notice given to the parties. Power to proceed in absence.

14. The award shall be in writing, signed by the referee or referees or oversman as the case may be. Form of award.

15. A single referee shall pronounce his award and have the same ready for delivery within twenty-eight days after his appointment. Time for award of referee or referees.

Two referees shall pronounce their award and have the same ready for delivery within twenty-eight days after the appointment of the last appointed of them, or within such extended time (if any) as they may from time to time jointly have fixed by writing under their hands, so that they have their award ready for delivery within a time not exceeding in the whole forty-nine days after the appointment of the last appointed of them.

16. Where two referees are appointed and act, if they fail to pronounce their award and have the same ready for delivery within the time aforesaid, then, on the expiration of that time, their powers as referees shall cease and determine, and thereupon the matters referred to them shall stand referred to the oversman. Reference to and award by oversman.

The oversman shall pronounce his award and have the same ready for delivery within twenty-eight days after notice in writing given to him by either party or referee of the devolution of the reference to him, or within such extended time (if any) as the sheriff, on the application of the oversman, or of either party, may fix, so that the oversman pronounce his award and have the same ready for delivery within a time not exceeding in the whole forty-nine days after notice to him as aforesaid.

The powers of the sheriff under this section shall be exercisable by him although he may not be at the time within the county.

In any case provided for by sections three, four, or five, if compensation is claimed under this Act, such compensation, as under any of those sections, is to be deemed to be substituted for compensation under this Act, if and so far as the same can consistently with the terms of the agreement, if any, be ascertained by the referees or the oversman, shall be awarded in respect of any improvements thereby provided for, and the award shall, when necessary, distinguish such improvements, and the amount awarded in respect thereof, and an award given under this section shall be subject to the appeal provided by this Act.

17. The award shall not find due or decern for a sum generally for compensation, but shall, as far as reasonably may be, specify— Award to give particulars.

(*a.*) The several improvements, acts, and things in respect whereof compensation is awarded, and the several matters and things taken into account in reduction or augmentation of such compensation;

(*b.*) The time at which each of the improvements, acts, or things was executed, committed, permitted, or omitted;

(*c.*) The sum awarded in respect of each improvement, act, matter, or thing; and

(*d.*) Where the landlord desires to charge his estate with the amount of compensation found due to the tenant, the time at which, for the purposes of such charge, each improvement, act, or thing in respect of which compensation is awarded is to be deemed to be exhausted.

Expenses of reference.

18. The expenses of and connected with the reference, including the remuneration of the referee or referees and oversman, and other proper expenses, shall be borne and paid by either party in whole or by the parties in such proportions as to the referee or referees or oversman appears just, regard being had to the reasonableness or unreasonableness of the claims of the parties or either of them, and to the whole circumstances of the case.

The award may decern for the payment of the whole or any part of the expenses by either party to the other, and in that case the award shall specify the amount to be so paid.

The amount of the expenses shall be subject to taxation by the auditor of the sheriff court, on the application of either party, but that taxation shall be subject to review by the sheriff.

Day for payment.

19. The award shall fix a day, not sooner than one month after the delivery of the award, for the payment of the money awarded for compensation, expenses, or otherwise.

Appeal to sheriff.

20. Where the sum claimed for compensation exceeds one hundred pounds, either party may, within seven days after delivery of the award, appeal against it to the sheriff on all or any of the following grounds:

(1.) That the award is invalid;

(2.) That the award proceeds wholly or in part upon an improper application of, or upon the omission properly to apply, the special provisions of sections three, four, or five of this Act;

(3.) That compensation has been awarded for improvements, acts, or things, or for breaches of stipulations or agreements, or for committing or permitting deterioration, in respect of which the party claiming was not entitled to compensation;

(4.) That compensation has not been awarded for improvements, acts, or things, or for breaches of stipulations or agreements, or for committing or permitting deterioration in respect of which the party claiming was entitled to compensation;

and the sheriff shall hear and determine the appeal, and may, in his discretion, remit the case to be reheard as to the whole or any part thereof by the referee or referees or oversman, with such directions as he may think fit.

If no appeal is so brought the award shall be final.

The decision of the sheriff on appeal shall be final.

Recovery of compensation.

21. Where any money agreed or awarded or ordered on appeal to be paid for compensation, expenses, or otherwise, is not paid within one month after the time when it is agreed or awarded or ordered to be paid, it shall be competent to record the agreement or award in the books of the sheriff court, to the effect of enabling execution to pass thereon in common form as upon an extract registered bond or decree arbitral; and any order for payment made

by a sheriff on appeal shall be enforced in the same manner as a decree for payment made under his ordinary jurisdiction is enforced.

Appointment of guardian.

22. Where a landlord or a tenant is a pupil or minor, or is of unsound mind, not having a tutor, curator, or other guardian, the sheriff, on the application of any person interested, may appoint to him a tutor or curator for the purposes of this Act, and may recall the appointment of such tutor or curator and appoint another tutor or curator if and as occasion requires.

Expenses in sheriff courts.

23. The Court of Session may by act of sederunt from time to time prescribe a scale of expenses for such proceedings in the sheriff court, and such expenses shall be taxed by the auditor of the sheriff court.

Charge of Tenant's Compensation.

Power for landlord on paying compensation to obtain charge.

24. A landlord on paying to the tenant the amount due to him in respect of compensation under this Act, or in respect of compensation authorised by this Act to be substituted for compensation under this Act, or on his defraying himself the cost of improvements proposed to be executed by the tenant, shall be entitled to obtain from the sheriff authority to charge the holding, or the estate of which it forms part, in respect thereof.

The sheriff shall have power, on proof of the payment, and on being satisfied of the observance in good faith by the parties of the conditions imposed by this Act, to grant authority to the landlord to charge the holding, or the estate of which it forms part, by executing and registering in the register of sasines a bond and disposition in security over it for repayment of the amount paid, or any part thereof, with such interest, and by such instalments, as the sheriff may determine; or, if the landlord has only a leasehold interest in the holding, by executing and duly registering in the register of sasines an assignation of the lease in security and for repayment of the amount paid, or any part thereof, with such interest and by such instalments, as the sheriff may determine.

But, where the landlord obtaining the charge is not absolute owner of the holding for his own benefit, no instalment or interest shall by such bond and disposition in security or assignation be made payable after the time when the improvement in respect whereof compensation is paid will, where an award has been made, be taken to have been exhausted according to the declaration of the award, and in any other case after the time when any such improvement will in the judgment of the sheriff, after hearing such evidence (if any) as he thinks expedient, have become exhausted; and such bond and disposition in security or assignation shall specify the times at which the total amount charged and each instalment thereof shall be payable.

The instalments and interest shall be charged in favour of the landlord, his executors, administrators, and assignees.

Any charge under this section shall rank after all prior charges and burdens heritably secured upon the holding or estate.

Where a holding or estate is charged by the landlord under this section, such charge shall not be deemed to be a contravention of any prohibition against charging or burdening contained in the deed or instrument under which the holding or estate is held by the landlord.

The price of any entailed land sold under the provisions of the Entail Acts, where such price is entailed estate within the meaning of those Acts, may be applied by the landlord in respect of the remaining portion of the entailed estate, or in respect of any other estate belonging to him, and entailed upon the same series of heirs, in payment of any expenditure and costs incurred by him in pursuance of this Act for executing or paying compensation for any improvement mentioned in the first or second parts of the schedule hereto, or in discharge of any charge with which the estate is burdened in pursuance of this Act in respect of such improvement.

Advance made by a company.

25. Any company now or hereafter incorporated by Parliament, or incorporated under the Companies Acts, and having power to advance money for the improvement of land, or for the cultivation and farming of land, may make an advance of money upon a bond and disposition in security, or upon an assignation, as the case may be, executed by authority of the sheriff under the provisions of this Act, upon such terms and conditions as may be agreed upon between such company and the person entitled to such charge; and such company may assign any charge so acquired by them to any person or persons whomsoever.

Duration of charge.

26. The sum charged by the order of a sheriff under this Act shall be a charge on the holding or the estate of which it forms part for the landlord's interest therein, and for all interests therein subsequent to that of the landlord; provided that the charge shall not extend beyond the interest of the landlord, his executors, administrators, and assignees where the landlord has only a leasehold interest in the holding.

Removing for Nonpayment of Rent.

Tenants to be removed only at legal terms. 43 Vict. c. 12.

27. In any case in which the landlord's right of hypothec for the rent has ceased and determined—

When six months rent of the holding is due and unpaid, it shall be lawful for the landlord to raise an action of removing before the sheriff against the tenant, concluding for his removal from the holding at the term of Whitsunday or Martinmas next ensuing after the action is brought, and unless the arrears of rent then due are paid, or caution is found to the satisfaction of the sheriff for the same, and for one year's rent further, the sheriff may decern the tenant to remove, and eject him at such term in the same manner as if the lease were determined, and the tenant had been legally warned to remove.

A tenant so removed shall have the rights of an outgoing tenant to which he would have been entitled if his lease had naturally expired at such term of Whitsunday or Martinmas.

The second and third sections of the Hypothec Abolition (Scotland) Act, 1880, are hereby repealed, and the provisions of the fifth section of the Act of Sederunt anent Removing of the fourteenth day of December one thousand seven hundred and fifty-six shall not apply in any case in which the procedure under this section is competent.

Notice of Termination of Tenancy.

Notice of termination of tenancy.

28. Notwithstanding the expiration of the stipulated endurance of any lease, the tenancy shall not come to an end unless written

notice has been given by either party to the other of his intention to bring the tenancy to an end—

(*a.*) In the case of leases for three years and upwards, not less than one year, nor more than two years, before the termination of the lease:

(*b.*) In the case of leases from year to year, or for any other period less than three years, not less than six months before the termination of the lease.

Failing such notice by either party the lease shall be held to be renewed by tacit relocation for another year, and thereafter from year to year.

Notice by the landlord to the tenant under this section shall be given in the form and manner prescribed by the Sheriff Courts (Scotland) Act, 1853, and shall come in place of the notice required by the said Act. 16 & 17 Vict. c. 80.

Provided that nothing contained in this section shall affect the right of the landlord to remove a tenant who has been sequestrated under the Bankruptcy (Scotland) Act, 1856, or who by failure to pay rent or otherwise has incurred any irritancy of his lease, or other liability to be removed:

The provisions relative to notice herein contained shall not apply to any stipulation in a lease entitling the landlord to resume land for building, planting, feuing, or other purposes, or to subjects let for any period less than a year.

Bequest of lease.

29. A tenant may by will, or other testamentary writing, bequeath his lease to any person (herein-after called "the legatee"), subject to the following provisions:—

(*a.*) The legatee shall intimate the testamentary bequest to the landlord or his known agent within twenty-one days after the death of the tenant, unless he is prevented by some unavoidable cause from making intimation within that time, and in that event he shall make intimation as soon as possible thereafter.

(*b.*) Intimation to the landlord or his known agent by the legatee shall import acceptance of the lease by the legatee.

(*c.*) Within one month after intimation has been made to the landlord or his known agent, he may intimate to the legatee that he objects to receive him as tenant under the lease;

If the landlord or his known agent makes no such intimation within one month, the lease shall be binding on the landlord and the legatee respectively as landlord and tenant as from the date of the death of the deceased tenant.

(*d.*) If the landlord or his known agent intimates that he objects to receive the legatee as tenant under the lease, the legatee may present a petition to the sheriff, praying for decree declaring that he is tenant under the lease as from the date of the death of the deceased tenant, of which petition due notice shall be given to the landlord, who may enter appearance, and state his grounds of objection; and if any reasonable ground of objection is established to the satisfaction of the sheriff, he shall declare the bequest to be null and void; but otherwise he shall decern and declare in terms of the prayer of the petition.

(*e.*) The decision of the sheriff under such petition as aforesaid shall be final.

(*f.*) Pending any proceedings under this section, the legatee shall have possession of the holding, unless the sheriff shall otherwise direct on cause shown.

(*g.*) If the legatee does not accept the bequest, or if the bequest is declared to be null and void as aforesaid, the lease shall descend to the heir of the tenant in the same manner as if the bequest had not been made.

Fixtures.

Tenant's property in fixtures, machinery, &c.

30. Where after the commencement of this Act a tenant affixes to his holding any engine, machinery, fencing, or other fixture, or erects any building for which he is not under this Act or otherwise entitled to compensation, and which is not so affixed or erected in pursuance of some obligation in that behalf or instead of some fixture or building belonging to the landlord, then such fixture or building shall be the property of and be removable by the tenant before or within a reasonable time after the termination of the tenancy:

Provided as follows:—

1. Before the removal of any such fixture or building the tenant shall pay all rent owing by him, and shall perform or satisfy all his other obligations to the landlord in respect to the holding:
2. In the removal of any fixture or building the tenant shall not do any avoidable damage to any other building or other part of the holding:
3. Immediately after the removal of any fixture or building the tenant shall make good all damage occasioned to any building or other part of the holding by the removal:
4. The tenant shall not remove any fixture or building without giving one month's previous notice in writing to the landlord of the intention of the tenant to remove it:
5. At any time before the expiration of such notice the landlord, by notice in writing given by him to the tenant, may elect to purchase any fixture or building specified in the notice given by the tenant as aforesaid, and any fixture or building thus elected to be purchased shall be left by the tenant, and shall become the property of the landlord, who shall pay the tenant the fair value thereof to an incoming tenant of the holding; and any difference as to the value shall be settled by a reference under this Act, as in case of compensation (but without appeal).

Crown Lands.

Application of Act to Crown lands.

31. This Act shall extend and apply to land belonging to Her Majesty the Queen, her heirs and successors, in right of the Crown.

With respect to such land, for the purposes of this Act, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or one of them, or other the proper officer or body having charge of such land for the time being, or in case there is no such officer or body, then such person as Her Majesty, her heirs or successors,

may appoint in writing under the Royal Sign Manual, shall represent Her Majesty, her heirs and successors, and shall be deemed to be the landlord.

Any compensation payable under this Act by the Commissioners of Her Majesty's Woods, Forests, Land and Revenues, or either of them, in respect of an improvement of the first class, shall be deemed to be payable in respect of an improvement of land within section one of the Crown Lands Act, 1866, and the amount thereof shall be charged and repaid as in that section provided with respect to the costs, charges, and expenses therein mentioned.

Any compensation payable under this Act by those Commissioners, or either of them, in respect of an improvement of the second class, or of the third class, shall be deemed to be part of the expenses of the management of the Land Revenues of the Crown, and shall be payable by those Commissioners out of such money and in such manner as the last-mentioned expenses are by law payable.

Ecclesiastical and Charity Lands.

Consents in case of glebes, &c.

32. The powers by this Act conferred on a landlord shall not be exercised by ministers in respect of their glebes, except with the previous approval in writing of the Presbytery of the bounds, and shall not be exercised by trustees for ecclesiastical, educational, or charitable purposes, except with the previous approval in writing of one of Her Majesty's Principal Secretaries of State.

Provision as to limited owners.

33. Subject to the provisions of this Act in relation to Crown, ecclesiastical, and charity lands, a landlord, whatever may be his estate or interest in his holding, may give any consent, make any agreement, or do or have done to him any act in relation to improvements in respect of which compensation is payable under this Act which he might give or make or do or have done to him if he were absolute owner of the holding.

General Provisions.

Commencement of Act.

34. This Act shall come into force on the first day of January one thousand eight hundred and eighty-four, which day is in this Act referred to as the commencement of this Act.

Application of Act.

35. Nothing in this Act shall apply to a holding that is not either wholly agricultural or wholly pastoral, or in part agricultural, and as to the residue pastoral, or in whole or in part cultivated as a market garden, or to any holding let to the tenant during his continuance in any office, appointment, or employment of the landlord.

Avoidance of agreement inconsistent with Act.

36. Any contract or agreement made by a tenant by virtue of which he is deprived of his right to claim compensation under this Act in respect of any improvement specified in the schedule hereto (except an agreement providing such compensation as is by this Act permitted to be substituted for compensation under this Act) shall, so far as it deprives him of such right, be void.

Right of tenant in respect of improvement purchased from outgoing tenant.

37. Where an incoming tenant has, with the consent in writing of his landlord, paid to an outgoing tenant any compensation payable under or in pursuance of this Act in respect of the whole or part of any improvement, such incoming tenant shall be entitled on quitting the holding to claim compensation in respect of such improvement or part in like manner, if at all, as the outgoing tenant would have

been entitled if he had remained in the tenancy, and quitted the holding at the time at which the incoming tenant quits the same.

Compensation under this Act to be exclusive.

38. A tenant shall not be entitled to claim compensation by custom or otherwise than in manner authorised by this Act in respect of any improvement for which he is entitled to compensation under this Act, but where he is not entitled to compensation under this Act he may recover compensation under any agreement or custom in the same manner as if this Act had not passed.

Provision as to change of tenancy.

39. A tenant who has remained in his holding during a change or changes of tenancy shall not thereafter on quitting his holding at the determination of a tenancy be deprived of his right to claim compensation in respect of improvements by reason only that such improvements were made during a former tenancy or tenancies, and not during the tenancy at the determination of which he is quitting.

General saving of rights.

40. Except as in this Act expressed, nothing in this Act shall take away, abridge, or prejudicially affect any power, right, or remedy of a landlord, tenant, or other person vested in or exercisable by him by virtue of any other Act or law, or under any custom of the country, or otherwise, in respect of a lease or other contract, or of any improvements, deteriorations, away-going crops, fixtures, tax, rate, teind, rent, or other thing.

Consents, &c. not subject to statutes regulating execution of deeds.

41. It shall be no objection to the validity of any consent in writing or agreement in writing within the provisions of this Act signed by the party or parties thereto or by any person or persons authorised by him or them that such consent or agreement has not been executed in accordance with the statutes regulating the execution of deeds in Scotland.

Interpretation.

42. In this Act—

"Lease" means a letting of or agreement for the letting land for a term of years, or for lives, or for lives and years, or from year to year:

A tenancy from year to year under a lease current at the commencement of the Act shall for the purposes of this Act be deemed to continue to be a tenancy under a lease current at the commencement of this Act until the first day after the commencement of this Act, on which either the landlord or tenant of such tenancy could, the one by giving notice to the other, cause such tenancy to determine, and on and after such day as aforesaid shall be deemed to be a tenancy under a contract of tenancy beginning after the commencement of this Act:

"Determination of tenancy" means the termination of a lease by reason of effluxion of time, or from any other cause:

"Landlord" in relation to a holding means any person for the time being entitled to receive the rents and profits of or to take possession of any holding:

"Tenant" means the holder of land under a lease:

"Landlord" or "tenant" includes the executors, administrators, assignees, legatee, disponee, or next-of-kin, husband, guardian, curator bonis, or trustees in bankruptcy, of a landlord or tenant:

"Holding" means any piece of land held by a tenant:

"Absolute owner" means the owner or person capable of disposing, by disposition or otherwise, of the fee simple or, dominium utile, of the whole interest of or in land, although the land or his interest therein is burdened, charged, or encumbered:

"Person" includes a body of persons and a corporation:

"Sheriff Courts (Scotland) Act, 1853," means an Act passed in the sixteenth and seventeenth year of Her present Majesty's reign, chapter eighty, intituled "An Act to facilitate procedure "in the Sheriff Courts in Scotland":

"Companies Acts" means the Companies Acts, 1862 to 1880, and any Act amending the same:

"Sheriff" includes sheriff substitute.

The designations of landlord and tenant shall continue to apply to the parties until the conclusion of any proceedings taken under this Act in respect of compensation for improvements.

Short title of Act.

43. This Act may be cited for all purposes as the Agricultural Holdings (Scotland) Act, 1883, and shall apply to Scotland only.

SCHEDULE.

PART I.

IMPROVEMENTS TO WHICH CONSENT OF LANDLORD IS REQUIRED.

(1.) Erection or enlargement of building.
(2.) Formation of silos.
(3.) Laying down of permanent pasture.
(4.) Making of water meadows or works of irrigation.
(5.) Making of gardens.
(6.) Making or improving of roads or bridges.
(7.) Making or improving of watercourses, ponds, wells, or reservoirs, or of works for supply of water for agricultural or domestic purposes.
(8.) Making of permanent fences.
(9.) Reclamation of waste land.
(10.) Weiring or embanking of land and sluices against floods.

PART II.

IMPROVEMENT IN RESPECT OF WHICH NOTICE TO LANDLORD IS REQUIRED.

(11.) Drainage.

PART III.

IMPROVEMENTS TO WHICH CONSENT OF LANDLORD IS NOT REQUIRED.

(12.) Boning of land with undissolved bones.
(13.) Claying of land or spreading blaes upon land.
(14.) Liming of land.
(15.) Marling of land.
(16.) Application to land of purchased artificial or other purchased manure.
(17.) Consumption on the holding by cattle, sheep, or pigs of cake or other feeding stuff not produced on the holding.

APPENDIX AND INDEX.

CONTENTS.

1. Table of the Titles of the Local and Private Acts passed during the Session.

2. List of the Local and Private Acts, arranged in Classes.

3. Tables showing the Effect of the Year's Legislation.

4. Index to the Public General Statutes.

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS passed during the Session.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

i. AN Act for rendering valid certain Letters Patent granted to William Chetham for "Improvements in Self-acting Temples for Looms."

P. ii. An Act to confirm a Provisional Order under the Land Drainage Act, 1861, relating to Burgh Saint Peter Improvements, situate in the parish of Burgh Saint Peter, in the county of Norfolk.

iii. An Act for the abandonment of the Rhins of Galloway Railway.

iv. An Act for granting further Powers to the British American Land Company.

v. An Act for reviving and rendering valid certain Letters Patent granted to Thomas John Mullings for a new and improved process for extracting Oil and Fat and oily and fatty matters from Wool and other substances and the apparatus connected therewith and applicable thereto.

vi. An Act to authorise the carrying into effect of an arrangement for the sale to and purchase by the Mayor Aldermen and Burgesses of Brighton for the purpose of a Public Park of certain Lands part of the Estates in the County of Sussex devised by the Will of William Stanford Esquire and for other purposes.

vii. An Act to confer further Powers on the Swindon and Cheltenham Extension Railway Company; and for other purposes.

viii. An Act to continue and amend the Aberdeenshire Roads Act, 1865; and for other purposes.

ix. An Act to provide for the dissolution of the British Fisheries Society; and for other purposes.

P. x. An Act to confirm certain Orders made by the Board of Trade under the Sea Fisheries Act, 1868, relating to Hamford Water, Hunstanton (le Strange), and Swansea.

xi. An Act for abolishing the Church Rate now leviable in the Parish of Saint Saviour, Southwark; for vesting in the Lord Bishop of the diocese the right of presentation to the Chaplaincy of the Parish Church, and for other purposes.

xii. An Act for reducing the Capital of Price's Patent Candle Company (Limited), and for other purposes.

xiii. An Act to confer further powers on the South-eastern Railway Company and for other purposes.

xiv. An Act for enabling the Caledonian Railway Company to make certain Railways in the Counties of Stirling and Midlothian; and to abandon a certain

authorised Railway in the County of Lanark; for extending the time of construction of certain of their authorised Railways in Lanarkshire; for releasing the remainder of a sum deposited by the Callander and Oban Railway Company; and for other purposes.

xv. An Act for extending the powers of the Telegraph Construction and Maintenance Company Limited; and for other purposes.

xvi. An Act for authorising the Sale of the old Church of Saint Peter (Clifton) in the City of Bristol and of premises connected therewith.

xvii. An Act for incorporating and conferring Powers on the Leatherhead and District Waterworks Company.

P. xviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Abertillery, the Rural Sanitary Districts of the Horsham and Penzance Unions, the Boroughs of Portsmouth and Scarborough, the Local Government Districts of Shirley-and-Freemantle and Staines, the City of Truro, and the Local Government Districts of Walton-on-the-Hill and Wimbledon.

P. xix. An Act to confirm a Provisional Order made under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Broughty Ferry.

xx. An Act to extend the time limited by the Swansea Harbour Act 1874 for the completion of the Docks Railways and Works by that Act authorised; to enable the Swansea Harbour Trustees to raise a further sum of Money for the purposes of their Undertaking; and to annul a certain Agreement between the Swansea Harbour Trustees and the Corporation of Swansea.

P. xxi. An Act to confirm certain Provisional Orders under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same.

xxii. An Act to confer further powers on the Ordinary Courts of Directors of the Scottish Widows' Fund and Life Assurance Society.

xxiii. An Act for amending the Metropolitan Street Improvements Act, 1877.

xxiv. An Act for enabling the Caledonian and the Glasgow and South-western Railway Companies to execute certain Works and acquire certain Lands in the Counties of Renfrew, Lanark and Ayr, in connexion with their Glasgow and Paisley and Glasgow and Kilmarnock Joint Lines of Railway; and for other purposes.

xxv. An Act to confer further Powers upon the North London Railway Company for the acquisition of Lands and the raising of Capital; and to empower the London and North-western Railway Company to subscribe towards such Capital; and for other purposes.

xxvi. An Act for amending and extending the Acts relating to the Standard Life Assurance Company, and for making further provisions with respect thereto.

xxvii. An Act to amend the Acts relating to the Dock Company at Kingston-upon-Hull; to confer further Powers on the said Company; and for other Purposes.

xxviii. An Act to extend the powers of the Company of Proprietors of Lambeth Waterworks.

xxix. An Act to amend the Dublin (South) City Market Acts 1876 and 1879; and for other purposes.

P. xxx. An Act to confirm a Provisional Order made by the Lord Lieutenant of Ireland in Council, under the Tramways (Ireland) Act, 1860, extending the time for the completion of the Dublin and Blessington Steam Tramways.

xxxi. An Act for conferring further powers upon the Cheshire Lines Committee and for other purposes.

xxxii. An Act for authorising the Portishead District Water Company to construct additional Works and to purchase additional Lands and for other purposes.

xxxiii. An Act for sanctioning a settlement of the claims of the Mortgagees of the Exeter Canal against the Corporation of the City of Exeter; for empowering the Corporation to borrow for the purpose of carrying into effect such settlement and of improving the said Canal and for other purposes.

xxxiv. An Act to enable the Corris Railway Company to use their Railways for Passenger Traffic and for other purposes.

xxxv. An Act to make provision with respect to the support of public sewers and sewage works in the mining districts in the borough of Wigan and neighbouring places.

xxxvi. An Act to authorise the Metropolitan Railway Company to raise additional Capital to amend their Acts and for other purposes.

xxxvii. An Act for regulating the Faculty of Procurators in Paisley; for making provision for the present and contingent Liabilities thereof; for the distribution of the Funds and the ultimate dissolution of the Faculty; and for other relative purposes.

xxxviii. An Act for incorporating and conferring powers on the Halesowen Gas Company, and for other purposes.

xxxix. An Act to confirm an Agreement between the London, Tilbury, and Southend Railway Company and the East and West India Dock Company, with reference to a supply of water and for other purposes.

xl. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the township of Rathmines and Rathgar, and to the towns of Tralee and Warrenpoint.

xli. An Act to enable the Watford Gas and Coke Company to erect and maintain additional works to acquire more land and to raise further capital and for other purposes.

xlii. An Act to confirm certain Provisional Orders made by the Education Department under the Elementary Education Act, 1870, to enable the School Boards for Cummersdale, Cumberland; Hayfield, Derbyshire; Little Eaton, Derbyshire; Stroud, Gloucestershire; and Treuddyn, Flintshire, to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same.

xliii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Inverness, Lamlash, Leven, Methil, Porthleven, Truro, and Wick and Pulteney.

xliv. An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to Waterworks in the town of Killarney.

xlv. An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Whitby.

xlvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Bilston Gas, Broadstairs Gas, Calne Gas, Enfield Gas, Ferndale Gas, Saint Neots Gas, Tadcaster and Wetherby District Gas, Swanage Gas and Water, and Ystrad Gas and Water.

xlvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Birmingham and Western District Tramways, Edgbaston and Harborne Tramways, North Birmingham Tramways, Oldham, Ashton-under-Lyne, Hyde and District Tramways, South Birmingham Tramways, and Southend-on-Sea and District Tramways.

P. xlviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Blandford District Water, Farnborough District Water, Gosport Water, Herne Bay Water, Newmarket Water, Newport and Pillgwenlly Water, and Pontypridd Water.

xlix. An Act for conferring further powers on the Hounslow and Metropolitan Railway Company; and for other purposes.

l. An Act for empowering the Local Board of Health for the District of Workington in the County of Cumberland to take water from the River Derwent to construct Waterworks and to supply water and to enable the Cockermouth and Workington Joint Water Committee and the said Local Board to agree for the transfer to the said Local Board of the undertaking of the said Joint Committee and for other purpose.

li. An Act to vary and extend the powers of the East London Railway Company in respect of the Railway authorised by the East London Railway Act 1882 to expedite the opening of a connexion by Railway between the North and South sides of the River Thames and for other purposes.

lii. An Act for amalgamating the Llynvi and Ogmore Railway Company with the Great Western Railway Company.

liii. An Act for rendering valid certain Letters Patent granted to Joseph Law and Henry Law for "Improvements in appliances for heating hardening and "tempering wire used in the manufacture of Cards for Carding Fibres."

liv. An Act to authorise the Cambrian Railways Company to extend their Pier and Works at Aberdovey to purchase land at Abereirch to establish Hotels and Refreshment Rooms in connexion with their Railway to establish Savings Banks and for other purposes.

lv. An Act for authorising the Downham and Stoke Ferry Railway Company to extend their Railway to Gooderstone to raise further money and for other purposes.

lvi. An Act for the sale and transfer to the Great Eastern Railway Company of the Undertakings of the Tendring Hundred Railway Company and of the Clacton-on-Sea Railway Company; and for other purposes.

lvii. An Act to provide for the Conversion of Statutable Securities of the Corporation of Sheffield into Corporation Stock; to make better provision and enlarge the powers of the Corporation with respect to sanitary matters and matters of Local Government Police and the Administration of Justice; to authorise the Corporation to raise Money for Tramway purposes and for Loans to certain public bodies within the Borough; and for other purposes.

lviii. An Act for transferring to the Rural Sanitary Authority for the rural sanitary district of the Chesterfield Union in the county of Derby the undertaking of the Staveley Waterworks Company and for the dissolution of that Company and for other purposes.

lix. An Act for amending the provisions of the Belfast Harbour Acts respecting the constitution and election of the Belfast Harbour Commissioners; and for conferring on the said Commissioners further Powers in relation to Victoria Park; and for other purposes.

lx. An Act to extend the Municipal Boundary of the City of Aberdeen; to authorise the Town Council to make new streets, execute certain street improvements, and construct a connecting railway to the Gasworks; and for other purposes.

lxi. An Act for conferring further powers on the Glasgow and South-western Railway Company for the construction of Works and the acquisition of Lands and for vesting in them the Saint Enoch Station at Glasgow and for empowering them to raise Additional Capital and for other purposes.

lxii. An Act to extend the Borough of Longton and to make further provision for the Improvement and good Government of the Borough and for other purposes.

lxiii. An Act for enabling the North-eastern Railway Company to make new Railways and for conferring additional Powers on the Company in relation to their own undertaking and the undertakings of other Companies; and for other purposes.

lxiv. An Act to authorise the Waterford and Limerick Railway Company to raise further Capital and for other purposes.

lxv. An Act to enable the Wrexham Mold and Connah's Quay Railway Company to make New Railways to raise further Capital and for other purposes.

lxvi. An Act to authorise the Glasgow Yoker and Clydebank Railway Company to make a Railway in the Parish of Govan and for other purposes.

lxvii. An Act for conferring further powers on the London Chatham and Dover Railway Company and for other purposes.

lxviii. An Act to authorise a Railway in Alloa Parish from the North British Railway to the Alloa Railway; to confirm an agreement as to running powers, &c.; to extend to ships not freighted the obligation of the North British Railway Company to tow ships freighted under the Tay Viaduct; and for other purposes.

lxix. An Act to enable the President Vice-Presidents Treasurer and Governors of the Asylum for the Deaf and Dumb Poor to acquire by Agreement and to hold the fee simple and inheritance of the site of the Institution and premises in the Old Kent Road and for other purposes.

lxx. An Act to consolidate with amendments the Local Acts and Orders in force in the Borough of Birmingham and for other purposes.

lxxi. An Act to make better provision in relation to the gas and water supply health local government and improvement of the borough of Heywood the borrowing of money and for other purposes.

lxxii. An Act for making further Provision respecting the continuation already authorised of Pall Mall and Ray Street in the city of Liverpool; and for other purposes.

lxxiii. An Act for more effectually protecting from Inundation by the Sea and for otherwise improving the Island of Canvey in the County of Essex and for other purposes.

lxxiv. An Act for repealing and re-enacting portions of the Acts and Order relating to the Harbour of Penzance and for other purposes.

lxxv. An Act to authorise the Bristol Port and Channel Dock Company to create and issue a New Debenture Stock and for other purposes.

lxxvi. An Act to confer further powers with respect to the Borrowstounness Harbour; and for other purposes.

lxxvii. An Act to amend and extend the Acts relating to the Borough of Burnley and to make further provision for its Local Government and Improvement to authorise the Construction of new Waterworks and for other purposes.

lxxviii. An Act for conferring further powers on the Corporation of Nottingham with respect to street improvements and to the supply of water and gas and to other matters of local government for making further provisions with respect to certain allotments and roads in the borough and for other purposes.

lxxix. An Act to make provision for regulating the navigation of the River Thames between Cricklade in the county of Wilts and Yantlet Creek in the county of Kent and to confer further powers on the Conservators of the River Thames and for other purposes relating thereto.

P. lxxx. An Act to confirm certain Orders of the Local Government Board under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, and the Divided Parishes and Poor Law Amendment Act, 1882, relating to the Parishes of Brafield-on-the-Green, Brentor, Cairau, Clungunford, Cogenhoe or Cooknoe, Courteenhall, Cwmcarvan, Great-Houghton, Hope Mansell, Hopton-Castle, Horton, Lamerton, Lew-Trenchard, Little-Houghton, Llandough, Llangaffo, Llangeinwen, Lower Slaughter, Michaelstone-super-Ely, Mitchel-Troy, Newington-Bagpath, Newland, Owlpen, Pennarth, Peterstone-super-Ely, Peter-Tavy, Road or Rode, Ruardean, Saint Bride-super-Ely, Saint Fagans, Tavistock, Thrushelton, Upper-Slaughter, Walford, Whitchurch, and Wootton, to the Townships of Brimington, Claylane, Coal-Aston, Morton, North-Wingfield, Pilsley, Tapton, Unstone, and Woodthorpe, and to the Tything of Lea-Bailey.

P. lxxxi. An Act to confirm certain Provisional Orders of the Local Government Board under the provisions of the Poor Law Amendment Act, 1867, as amended by the Poor Law Amendment Act, 1868, and extended by the Poor Law Act, 1879, relating to the Parishes of Birmingham and Lambeth.

P. lxxxii. An Act to confirm a Provisional Order of the Local Government Board under the Highways and Locomotives (Amendment) Act, 1878, relating to the county of Dorset.

P. lxxxiii. An Act to confirm Provisional Orders of the Local Government Board for Ireland relating to the towns of Carlow and Listowel, and to the Newtownards Gas Undertaking.

P. lxxxiv. An Act to confirm the Provisional Order for the inclosure of the Common Fields and Pastures, situate in the parish of Hildersham, in the county of Cambridge, in pursuance of a Report of the Land Commissioners for England.

P. lxxxv. An Act to confirm a Provisional Order under the Land Drainage Act, 1861, relating to Didcot Improvements, situate in the several parishes of Didcot, East Hagbourne, and Long Wittenham, and in the chapelry of Appleford in the parish of Sutton Courtney, in the county of Berks.

P. lxxxvi. An Act to provide for the repair and maintenance of certain Highways in the New Forest in the county of Southampton.

P. lxxxvii. An Act to provide for the repair and maintenance of certain Highways in the Forest of Dean in the county of Gloucester.

lxxxviii. An Act to confirm certain Provisional Orders under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same.

P. lxxxix. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Improvement Act District of Bethesda, the Borough of Darlington, the Evesham Joint Hospital District, the Faversham Joint Hospital District, the Improvement Act District of Kington, the Lower Thames Valley Main Sewerage District, the Boroughs of Maldon and Sandwich, and the Local Government Districts of Torquay, and Wanstead and Woodford.

P. xc. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Barnet Union, the Local Government Districts of Brentford, Chilvers Coton, and Nuneaton, the Stourbridge Main Drainage District, the Borough of Stratford-upon-Avon, the Rural Sanitary District of the Stroud Union, and the Local Government District of Wellington (Somerset).

P. xci. An Act to confirm a Provisional Order of the Local Government Board relating to the Borough of Leeds.

xcii. An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to Waterworks in the city of Limerick.

xciii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to South Shields Corporation Tramways, and Wolverton and Stony Stratford Tramways.

xciv. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area situated at Saint George-in-the-East, within the Metropolis.

xcv. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area situated at Limehouse, within the Metropolis.

xcvi. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area situated in Lambeth, within the Metropolis.

xcvii. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area situated at Greenwich, within the Metropolis.

xcviii. An Act to confirm a Provisional Order made under the Public Health (Scotland) Act, 1867, relating to the burgh of Fraserburgh.

xcix. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Kingston-upon-Hull and Leeds, and the District of Weston-super-Mare.

c. An Act to authorise the Anstruther and Saint Andrews Railway Company to construct an extension of their authorised Railway to join the Saint Andrews Branch Railway of the North British Railway; and for other purposes.

ci. An Act to enable the Maryport and Carlisle Railway Company to reduce the Maximum Tolls and Rates chargeable upon their Railways and to make such reduced Tolls and Rates permanent and binding on the Company.

cii. An Act for authorising the Construction of a Dock at Seafield in the County of Fife with Railways thereto and for other purposes.

ciii. An Act to enable the Corporation of Brighton to raise further Moneys for their Waterworks Undertaking.

civ. An Act to authorise the construction of Tramways in the Township of Blackrock and in the Township of Kingstown in the County of Dublin and for other purposes.

cv. An Act for the construction of a Tramway from Castlederg to Victoria Bridge in the County of Tyrone and for other purposes.

cvi. An Act to make further provision respecting the borrowing of Money by the Corporation of Glasgow and for other purposes.

cvii. An Act to authorise the Great Eastern Railway Company to construct additional Railways and to improve parts of their existing Railway in the County of Essex; to construct a Graving Dock at Harwich; to execute other works; to purchase additional lands and to exercise further powers; and for other purposes.

cviii. An Act to enable the Wrexham Mold and Connah's Quay Railway Company to consolidate their debenture and other stocks and share capital and to raise a further sum of money for their Undertaking and for other purposes.

cix. An Act to alter and amend the Acts relating to the Alliance and Dublin Consumers' Gas Company; to enable that Company to acquire further lands, to raise additional capital; and for other purposes.

cx. An Act for empowering the London and North-western Railway Company to construct New Railways and for vesting in them the Undertaking of the Lancashire Union Railways Company and for other purposes.

cxi. An Act to confer additional Powers upon the Midland Railway Company for the construction of Railways and other Works and the Acquisition of Lands: for Confirming Agreements with other Companies: for raising further Capital: and for other purposes.

cxii. An Act for authorising the amalgamation of the Undertakings of the Portsmouth Street Tramways Company the Gosport Street Tramways Company and the General Tramways Company of Portsmouth Limited and for other purposes.

cxiii. An Act to authorise the making of a Railway in Wiltshire to be called the Pewsey and Salisbury Railway.

cxiv. An Act to authorise the construction of the Kirkcaldy and District Tramways, in the County of Fife; and for other purposes.

cxv. An Act for the transfer of the Undertakings of the Ribble Navigation Company to the Mayor Aldermen and Burgesses of the Borough of Preston and to enable them to improve the River Ribble and the Navigation thereof and to construct Docks and other works at Preston and for extending the Borough of Preston and for other purposes.

cxvi. An Act to confer further powers on the Church Fenton Cawood and Wistow Railway Company; and for other purposes.

cxvii. An Act for making a Railway from Billinghay to Metheringham in the County of Lincoln; and for other purposes.

cxviii. An Act to confer further Powers upon the Cleator and Workington Junction Railway Company for the Extension of their Railways; and for other purposes.

cxix. An Act to amend the Halesowen and Bromsgrove Branch Railways Act, 1865, and for other purposes.

cxx. An Act to confer further Powers on the Swindon and Cheltenham Extension Railway Company; and for other purposes.

cxxi. An Act for granting further Powers to the Swindon Marlborough and Andover Railway Company; and for other purposes.

cxxii. An Act to provide for the Sale and appropriation of portions of certain lands in the Township of Southcoates in the Parish of Drypool in the Borough of Kingston-upon-Hull known as the Drypool Parish Burial Ground and for the application of the moneys arising from such Sale and for other purposes.

cxxiii. An Act for making a Canal from the Harbour of East Tarbert to West Loch Tarbert, in the County of Argyll, and Works in connection therewith, and for other purposes.

cxxiv. An Act to provide for the abolition of the Vicar's Rate leviable in the Parish of the Holy Trinity, Coventry, in the County of Warwick; for securing an Income for the Vicar from other sources; and for other relative purposes.

cxxv. An Act to enable the Mayor Aldermen and Burgesses of the Borough of Cork to raise a further Sum of Money for the purposes of the Bridges and Works authorised by the Cork Improvement Act, 1875.

cxxvi. An Act to authorise the Saint Helens and District Tramways Company to construct additional Tramways to use Steam or Mechanical Power upon their Tramways to abandon parts of their authorised Tramways and for other purposes.

cxxvii. An Act to make further and other Provisions as to the Subscription by the Belfast and Northern Counties Railway Company to the Undertaking of the Limavady and Dungiven Railway Company; and as to the appointment of Directors of the Ballymena Cushendall and Redbay Railway Company; and for other purposes.

cxxviii. An Act to revive and extend the Time limited by the Ballymena Cushendall and Redbay Railway Act 1878 for the compulsory taking of Lands and to extend the Time limited by that Act for the completion of the Railway thereby authorised ; and for other purposes.

cxxix. An Act to consolidate the Capital of the Didcot Newbury and Southampton Junction Railway Company ; to change the Name of the Company ; and for other purposes.

cxxx. An Act for amalgamating the Londonderry and Enniskillen Railway Company with the Great Northern Railway Company (Ireland).

cxxxi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Aldershot and Farnborough Tramways Extensions, Bradford Corporation Tramways, Hartlepool Tramways, Liverpool Corporation Tramways, Macclesfield Tramways, and North Staffordshire Tramways.

cxxxii. An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for London to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same.

cxxxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Colchester Tramways, Halifax and District Tramways, Oxford Tramways Extensions, Rhyl, Voryd, and Plastirion Tramways, Spen Valley and District Tramways, and Yarmouth and Gorleston Tramways Extension.

cxxxiv. An Act to confirm a Provisional Order of the Local Government Board under the provisions of the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875, relating to the Local Government District of Festiniog.

cxxxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Cheltenham, the Local Government District of Croydon, the Borough of Dorchester, the Rural Sanitary District of the Hendon Union, and the Local Government Districts of Malvern and Willenhall.

cxxxvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Ashton-in-Makerfield, the Borough of Ashton-under-Lyne and the Local Government Districts of Dukinfield and Hurst, the Boroughs of Burnley and Doncaster, the Town of Hove, the Local Government District of Hucknall-under-Huthwaite, the Improvement Act District of Llandudno, the Borough of Middlesbrough, the Port of Newport (Mon.), the Borough of Rochdale and the Local Government Districts of Sutton-in-Ashfield and West Ham.

cxxxvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Bognor, the Borough of Cheltenham, the Improvement Act District of Chiswick, the Borough of Plymouth, the Local Government District of Skipton, the Borough of Stockton and the Local Government District of South Stockton, and the Local Government Districts of Stroud and Wallasey.

cxxxviii. An Act to confirm certain Orders of the Local Government Board under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, relating to the Parishes of Black-Torrington, Bradford, Bridgerule-East, Carhampton, Dodington, Fulwood, High-Hampton, Hinders-Lane-and-Dockham, Holford, Monksilver, Old-Cleve, Pancrasweek, Pleasley, Porlock, Pyworthy, Selworthy, Stogumber, Sutcombe, Upper-Langwith, and Withycombe ; to the Townships

of East-Dean, Hucknall-under-Huthwaite, and Sutton-in-Ashfield; and to the Tything of Lea-Bailey

cxxxix. An Act for conferring further powers on the Plymouth and Dartmoor Railway Company for the construction of Works the raising of Money and otherwise in relation to their Undertaking and for providing for the distribution of the proceeds of the sale of a portion of the Undertaking of the Company and for other purposes.

cxl. An Act to extend the time for constructing the Coventry and District Tramways and to empower the Coventry and District Tramways Company to raise additional Capital.

cxli. An Act to extend the time for constructing the Gateshead and District Tramways and to empower the Gateshead and District Tramways Company to raise additional Capital.

cxlii. An Act for authorising the North London Tramways Company to abandon the Construction of a portion of their Authorised Undertaking and to use Steam or Mechanical Power for working their Tramways.

cxliii. An Act to authorise the Hull Barnsley and West Riding Junction Railway and Dock Company to construct New Railways and other Works to amend the Acts relating to the Company and for other purposes.

cxliv. An Act for extending the Boundaries of the Borough of Hartlepool and for other purposes.

cxlv. An Act for conferring further Powers upon the London and North-western Railway Company in connexion with their own undertaking and upon that Company and the Lancashire and Yorkshire Railway Company in respect of their North Union Railway and upon the Lancashire Union Railways Company in respect of their Undertaking and for other purposes.

cxlvi. An Act for authorising the Rhondda and Swansea Bay Railway Company to extend their Railway to Swansea and for other purposes.

cxlvii. An Act to amalgamate the Undertakings of the Norwood (Middlesex) and Sunningdale District Water Companies; and for other purposes.

cxlviii. An Act for authorising the Dumbarton Water Commissioners to make and maintain additional Waterworks: for regulating the Streets and Buildings within the Burgh of Dumbarton; and for other purposes.

cxlix. An Act to dissolve the Stoke-upon-Trent and Fenton Joint Gas Committee and for other purposes.

cl. An Act to extend the time limited for the compulsory purchase of lands and houses and completion of the railway and works authorised by the Ramsey and Somersham Junction Railway Act 1875 and for other purposes.

cli. An Act to authorise the Lydd Railway Company to make a Railway from Loose to Headcorn in the County of Kent to raise further money and for other purposes.

clii. An Act to authorise the Cork and Kenmare Railway Company to construct Railways in substitution for portions of those authorised by the Cork and Kenmare Railway Act 1881 to abandon so much of the Railways authorised by that Act as will be rendered unnecessary by reason of the construction of the substituted Railways to alter certain provisions of the said Act as to Borrowing powers and Baronial Guarantee and for other purposes.

cliii. An Act for making a Railway from Ballina to Killala and a Harbour at Killala in the County of Mayo and for other purposes.

cliv. An Act to confer further powers on the Banbury and Cheltenham Direct Railway Company for the construction of Works and the raising of money; and for other purposes.

clv. An Act to grant traffic facilities to the Central Wales and Carmarthen Junction Railway Company.

clvi. An Act to authorise the Trustees of the Clyde Navigation to construct Docks, Quays, Roads, Tramways, a Railway, and other Works at and connected with the Harbour of Glasgow and the River Clyde, and to borrow Money; and for other purposes.

clvii. An Act to authorise the Manchester Sheffield and Lincolnshire Railway Company to construct new Railways and other works and to confer further powers upon that Company in connexion with their undertaking and for other purposes.

clviii. An Act for the Establishment and Regulation of a Market to be called Paddington Market in the parish of St. Mary Paddington in the County of Middlesex and for other purposes.

clix. An Act to confer further powers upon the Borough of Portsmouth Waterworks Company for the construction of works and the raising of money to extend their limits for the supply of Water and for other purposes.

clx. An Act to confer further powers on the Southsea Railway Company for the construction of new and the completion of their authorised Railways and to confirm an Agreement between that Company and the London and South Western Railway Company: To provide for the abandonment of certain Roads authorised by the London Brighton and South Coast Railway (Various Powers) Act 1882; and for other purposes.

clxi. An Act to empower the Taff Vale Railway Company to construct a new Railway at Merthyr and to acquire additional Lands and to raise further Capital and for other purposes.

clxii. An Act to enable the Limerick Waterworks Company to construct additional Works and to raise additional Capital and for other purposes.

clxiii. An Act for incorporating the Newborough Drainage Commissioners and for conferring on them Powers for the Purchase of Land for Drainage Works and for the Borrowing of Money and for Amending the Newborough Drainage Acts and for other purposes.

clxiv. An Act for constituting a separate Canal Undertaking and Capital of the Regent's Canal City and Docks Railway Company; and for other purposes.

clxv. An Act for empowering the Mayor Aldermen and Burgesses of the Borough of Portsmouth to construct a Wharf and other Works at Landport in the Borough of Portsmouth in the county of Southampton and for other purposes.

clxvi. An Act for incorporating the East and West Yorkshire Union Railways Company and for other purposes.

clxvii. An Act to confer further powers upon the South London Tramways Company and for other purposes.

clxviii. An Act to authorise the Hastings and Saint Leonards Gas Company to raise further Capital and for other purposes.

clxix. An Act for conferring further Powers with relation to the Lancashire and Yorkshire Railway and the Preston and Wyre Railway and for other purposes.

clxx. An Act for the Abandonment of the Market Deeping Railway.

clxxi. An Act to amend the Powers of the Cork Harbour Commissioners with respect to Rates and Dues and for other purposes.

clxxii. An Act for the granting of Further Powers to the Ipswich Gaslight Company.

clxxiii. An Act for suppressing the sinecure Rectory of Sock Dennis in the County of Somerset and providing for the application of the Tithe Rent-charge thereof.

clxxiv. An Act to amalgamate the Undertakings of the Croydon Tramways Company and the Norwood District Tramways Company, and to authorise the construction of new Tramways in and near Croydon and Norwood, in the county of Surrey; and for other purposes.

clxxv. An Act to confer further Powers upon the Great Northern Railway Company with respect to their own and other Undertakings to enable them to acquire the Undertaking of the Hatfield and St. Albans Railway Company and for other purposes.

clxxvi. An Act for making a Railway to be called "The Lambourn Valley Railway," and for other purposes.

clxxvii. An Act for enabling the Metropolitan Board of Works to alter and re-construct Hammersmith Bridge; for providing for the free use by the Public of the East and West Ferry Roads in the Parish of Poplar in the County of Middlesex; and for other purposes.

clxxviii. An Act for enabling the Metropolitan Board of Works to make certain New Streets and Street Improvements in the Metropolis and for other purposes.

clxxix. An Act for the transfer of the Newport Dock Company's Undertaking to the Alexandra (Newport and South Wales) Docks and Railway Company and to empower that Company to make a New Lock and other works and for other purposes.

clxxx. An Act to authorise the Pontypridd Caerphilly and Newport Railway Company to construct a Railway in the County of Monmouth and for other purposes.

clxxxi. An Act for incorporating the Hawarden and District Waterworks Company and for conferring Powers on that Company; and for other purposes.

clxxxii. An Act to authorise the Staines and West Drayton Railway Company to divert a portion of their authorised Railway near Staines, and to extend the same into the Town of Staines; and for other purposes.

clxxxiii. An Act for incorporating the Skegness Chapel St. Leonards and Alford Tramways Company and authorising them to construct a Tramway from Skegness to Bilsby in the parts of Lindsey in the County of Lincoln and for other purposes.

P. **clxxxiv.** An Act to transfer to one of Her Majesty's Principal Secretaries of State the powers vested in the Admiralty and the Board of Ordnance in relation to gunpowder magazines and stores in the River Mersey, and amend the Acts relating to those magazines and stores.

clxxxv. An Act for rendering valid certain Letters Patent granted to Herbert John Haddan for Improvements in Electric Lamps.

clxxxvi. An Act for authorising the construction of a railway in the County of Kent to be called the Bexley Heath Railway and for other purposes.

clxxxvii. An Act for incorporating the Borough of Portsmouth Kingston Fratton and Southsea Tramways Company: and for empowering them to construct Tramways: and for other purposes.

clxxxviii. An Act for authorising the London and South-western Railway Company to construct new Railways in the Counties of Southampton and Dorset and to widen part of their Ringwood Christchurch and Bournemouth Railway and jointly with the Midland Railway Company to construct a new Railway in the County of Dorset; and for other purposes.

clxxxix. An Act for authorising the London and South-western Railway Company to make new railways and deviations and widenings of railways and other works and to purchase additional lands and for conferring other powers upon them in relation to their own and other undertakings; for empowering

the Company and the London Brighton and South Coast Railway Company to construct a railway and to acquire lands and to exercise other powers; for the sale or amalgamation to or with the undertaking of the Company of the Salisbury and Dorset Junction Railway; to empower the Company to construct certain railways of the North Cornwall Railway Company and to appoint a director of and take and hold part of the capital of that Company; for the sale or lease to the Company and the London Brighton and South Coast Railway Company of the Southsea Railway; for authorising and varying or annulling agreements between the Company and other Corporations bodies Companies and persons; and for other purposes.

cxc. An Act to authorise the Mersey Railway Company to raise additional capital and for other purposes.

cxci. An Act to amend the Metropolitan District Railway Act 1881; and for other purposes in relation thereto.

cxcii. An Act for incorporating the Windsor and Eton Waterworks Company and for vesting in them the Windsor and Eton Waterworks and for other purposes.

cxciii. An Act to authorise the Great Western Railway Company to make and maintain certain Railways and Works; For vesting in the Great Western Railway Company the Undertakings of the Stratford-upon-Avon Railway Company and the Watlington and Princes Risborough Railway Company; For confirming Agreements between the Great Western Railway Company and other Companies; and for other purposes.

cxciv. An Act for making a Railway from Barrmill to Kilwinning and for other purposes.

cxcv. An Act to authorise the Construction and Maintenance of a Graving Dock, and other Works in connexion therewith, at King's Lynn, in the County of Norfolk.

cxcvi. An Act to extend the time for the completion of the Freshwater Yarmouth and Newport Railway and for the purchase of land therefor; to authorise the Freshwater Yarmouth and Newport Railway Company to raise additional capital and for other purposes.

cxcvii. An Act to authorise the construction and maintenance of a Dock at the mouth of the River Ogmore and of a railway aqueduct and other works in connexion therewith in the County of Glamorgan and for other purposes.

cxcviii. An Act for incorporating the South Hayling Bridge Company and for empowering them to construct a Bridge over the Langstone Channel between Hayling Island and Southsea with approach roads thereto in the County of Southampton and for other purposes.

cxcix. An Act to authorise the Eastern and Midlands Railway Company to construct new Works and for other purposes.

cc. An Act to enable the Barnet District Gas and Water Company to extend their limits of Water Supply; to construct new Water Works; to extend their Gas Works; and to raise additional Capital; and for other purposes.

cci. An Act to incorporate a Company for making a Pier Head and other works in connexion therewith at the seaward end of the Chain Pier Brighton in the county of Sussex; to enable the Company to hold shares in the Chain Pier Company; to acquire the undertaking of the Chain Pier Company; and for other purposes.

ccii. An Act for incorporating the Holsworthy and Bude Railway Company, and authorising them to make and maintain the Holsworthy and Bude Railway, and for other purposes.

cciii. An Act for empowering the Brentford and Isleworth Tramways Company to construct new Tramways and Roads in the County of Middlesex, to extend the time for making and completing the Tramways authorised by the Brentford and Isleworth Tramways Extension Act, 1880, and for other purposes.

cciv. An Act to enable the London Tilbury and Southend Railway Company to construct new Railways and for other purposes.

ccv. An Act for authorising the Construction of Railways to connect the Teign Valley Railway and the town of Chagford with Exeter; and for other purposes.

ccvi. An Act for authorising the construction of a Railway from Hornsey to Hendon and Harrow, to be called the London Hendon and Harrow Railway; and for other purposes.

ccvii. An Act to confer further Powers on the Metropolitan District Railway Company.

ccviii. An Act for granting further Powers to the Metropolitan Outer Circle Railway Company, and for other purposes.

ccix. An Act to authorise the construction of Railways in Shropshire and Staffordshire and for facilitating communication between the Midland Counties of England and Milford Haven and Swansea respectively.

ccx. An Act to authorise the Construction of a Railway from Oxford to Aylesbury and for other purposes.

ccxi. An Act for making further provision respecting the borrowing of Money by the Corporation of Portsmouth; and for other purposes.

ccxii. An Act for constituting a separate Undertaking of the Regent's Canal City and Docks Railway Company, for amending their Act of incorporation; and for other purposes.

P. ccxiii. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Cambridge, Canterbury, Chelsea, Finchley, Folkestone, Gravesend, Greenock, Greenwich, High Wycombe, Ipswich, Maidstone, and Sunderland.

P. ccxiv. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Aston, Birkdale Dudley, Saltley, Ulverston, West Bromwich, and Wolverhampton.

P. ccxv. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Balsall Heath, Birmingham, Redditch, and Walsall.

P. ccxvi. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Barton Eccles Winton and Monton, Carlisle, Croydon, Luton, Margate, Nelson, Rochester Scarborough, and Sudbury.

P. ccxvii. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Bermondsey, Clerkenwell, Hampstead, Holborn, Hornsey, St. George's-in-the-East, St. Giles (Brush), St. James' and St. Martin's, St. Luke's, and Wandsworth.

P. ccxviii. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Limehouse, Poplar, Richmond (Surrey), Rotherhithe, St. Giles's (Pilsen Joel), St. Olave, St. Saviour's (Southwark), Shoreditch, and Wednesbury and Darlaston.

P. ccxix. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Barnes and Mortlake, Hackney, Islington, St. Pancras (Middlesex), and Whitechapel.

P. ccxx. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Bradford, Brighton,

Hanover Square District (London), Norwich, South Kensington District (London), Strand District (London), and Victoria District (London).

ccxxi. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Bristol, Grantham, and Lowestoft.

ccxxii. An Act for confirming certain Provisional Orders made by the Board of Trade under the Electric Lighting Act, 1882, relating to Chiswick and St. George-the-Martyr, Southwark.

ccxxiii. An Act for confirming a Provisional Order made by the Board of Trade under the Electric Lighting Act, 1882, relating to Dundee.

ccxxiv. An Act to confirm a Provisional Order of the Local Government Board relating to the Improvement Act District of West Hartlepool.

ccxxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Haslingden, Ramsbottom, and Rawtenstall.

ccxxvi. An Act to amend the Law relating to Highways in the Isle of Wight, and for other purposes.

ccxxvii. An Act to authorise the Peckham and East Dulwich Tramways Company to construct new Tramways in the County of Surrey and for other purposes.

ccxxviii. An Act to confer further powers on the Stratford-upon-Avon, Towcester and Midland Junction Railway Company in reference to their own Undertaking and the Undertaking of the East and West Junction Railway Company; and for other purposes.

ccxxix. An Act to enable the Milford Docks Company to create an additional amount of Debenture Stock in Place of other Capital, to effect a settlement of the affairs of the Company, and for other purposes.

ccxxx. An Act for incorporating the Plymouth Devonport and South-Western Junction Railway Company and authorising them to make and maintain the Plymouth Devonport and South-Western Junction Railway and for authorising arrangements between them and the London and South-Western Railway Company and for other purposes.

ccxxxi. An Act for the Abandonment of the Ennis and West Clare Railway.

ccxxxii. An Act to empower the Dublin Southern District Tramways Company to double certain of their existing Tramways; and for other purposes.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorise the Trustees under the Settlement of Marriage between Sir George Douglas Clerk, of Penicuik, Bart., and Miss Aymée Elizabeth Georgina Napier, and the said Sir George Douglas Clerk, to sell lands; to pay debts; and for other purposes.

2. An Act to enable the Trustees of Sir Robert Peel's Settled Estates to raise money for payment of his debts, and for vesting in such Trustees his life interest in and certain of his powers over the Settled Estates, and for other purposes.

3. An Act to amend "The Earl of Aylesford's Estate Act, 1882."
4. An Act to enable Edward Cecil Guinness to sell and convey to the Commissioners of Public Works in Ireland the fee simple of certain lands, situate in the Parish of St. Peter, in the City of Dublin, free from all incumbrances.
5. An Act to enable the Trustees of Captain John Harrison's Settled Estates to raise Money for Payment of Improvements made and to be made thereon and for Vesting in such Trustees his Life-interest in the Settled Estates and for other purposes in relation thereto.

A LIST OF THE LOCAL AND PRIVATE ACTS,

(46 & 47 Vict., 1883,)

ARRANGED IN CLASSES.

Class 1.—Bridges and Ferries.
„ 2.—Canals, Rivers, Navigations, Tunnels, and Subways.
„ 3.—Charitable Foundations and Institutions.
„ 4.—Drainages and Drainage Embankments.
„ 5.—Ecclesiastical Affairs, including Tithes.
„ 6.—Estates.
„ 7.—Fisheries.
„ 8.—Gaslight Companies.
„ 9.—Harbours, Docks, Ports, Piers, Quays, &c.
Class 10.—Improvements in Towns, Municipal and County and Local Government Matters, Markets, &c.
„ 11.—Inclosures of Commons.
„ 12.—Parish Affairs.
„ 13.—Personal Affairs.
„ 14.—Railways.
„ 15.—Trading and other Companies.
„ 16.—Tramways.
„ 17.—Turnpike and other Roads.
„ 18.—Water Companies.
„ 19.—Provisional Orders Confirmation.

Class 1.—Bridges and Ferries.

Hammersmith Bridge (Enabling Metropolitan Board of Works to re-construct, &c.) Ch. clxxvii.
South Hayling Bridge (Construction of Bridge and Approach Roads). Ch. cxcviii.

Class 2.—Canals, Rivers, Navigations, Tunnels, and Subways.

Argyll Ship Canal (Making Canal from Harbour of East Tarbert to West Loch Tarbert). Ch. cxxiii.
Clyde Navigation (Construction of Works and borrowing Money). Ch. clvi.
Exeter Canal (Settlement of Claims of Mortgagees against Corporation of Exeter, &c.) Ch. xxxiii.
Mersey River (Transferring to Secretary of State powers of Admiralty and Board of Ordnance in relation to Gunpowder Magazines, and Amending Acts). Ch. clxxxiv.
Regent's Canal, &c. (Capital). Ch. clxiv.
Ribble Navigation (Transfer of Undertakings of Ribble Navigation Company to Corporation of Preston, &c.) Ch. cxv.
Thames River (Regulating Navigation, &c.) Ch. lxxix.

Class 3.—Charitable Foundations and Institutions.

Deaf and Dumb Poor Asylum (Acquiring Fee-simple of Site of Institution in Old Kent Road). Ch. lxix.
Paisley (Regulating the Faculty of Procurators, and providing for dissolution thereof). Ch. xxxvii.

Class 4.—Drainages and Drainage Embankments.

Canvey Island (Sea Defences, &c.) Ch. lxxiii.
Newborough Drainage (Incorporating Commissioners; amending Acts). Ch. clxiii.

[*For Acts confirming Provisional Orders under the Land Drainage Acts, see* Class 19 (2), (9).]

Class 5.—Ecclesiastical Affairs, including Tithes.

Holy Trinity, Coventry (Abolition of Vicar's Rate, &c.) Ch. cxxiv.
Saint Peter's (Clifton, Bristol) Church (Authorising sale of old church). Ch. xvi.
Saint Saviour's, Southwark (Abolition of Church Rate, &c.) Ch. xi.
Sock Dennis (Suppressing Sinecure Rectory and providing for application of Tithe Rentcharge). Ch. clxxiii.

Class 6.—Estates.

Aylesford's (Earl of) Estate (Amending Act of 1882). Ch. 3 (*Private*).
Guinness' Estate (Sale of Fee Simple of certain Lands in Dublin). Ch. 4 (*Private*).
Harrison Estate (Enabling Trustees to raise Money for Improvements, &c.) Ch. 5 (*Private*).
Peel's (Sir Robert) Settled Estates (Raising Money, &c.) Ch. 2 (*Private*).
Penicuik Trust Estates (Sale of Lands). Ch. 1 (*Private*).

Class 7.—Fisheries.

Hamford Water, Hunstanton (le Strange), and Swansea (Confirming Provisional Orders relating to Oyster and Mussel Fisheries). Ch. x.

[*For Act confirming Provisional Orders under the Sea Fisheries Act, see* Class 19 (13).]

Class 8.—Gaslight Companies.

Alliance and Dublin (Amending Acts, additional Capital, &c.) Ch. cix.
Barnet District Gas and Water (Extending Limits of Water Supply; new Water Works; extending Gas Works; Additional Capital). Ch. cc.
Halesowen (Incorporating Company). Ch. xxxviii.
Hastings and Saint Leonards (Further Capital). Ch. clxviii.
Ipswich (Further Powers). Ch. clxxii.
Watford (Additional Works, Land, and Capital). Ch. xli.

[*For Acts confirming Provisional Orders under the Gas and Water Works Facilities Act, see* Class 19 (5).]

Class 9.—Harbours, Docks, Ports, Piers, Quays, &c.

Ballina and Killala Railway and Harbour (Construction of Works). Ch. cliii.
Belfast Harbour (Amending Acts, &c.) Ch. lix.
Borrowstounness Harbour (Further Powers). Ch. lxxvi.
Brighton Marine Kursaal (Incorporating Company to acquire Chain Pier, and make Pier Head, &c.) Ch. cci.
Bristol Port and Channel Dock (Authorising new Debenture Stock). Ch. lxxv.
Cork Harbour (Amending Powers of Commissioners with respect to Rates and Dues). Ch. clxxi.
East and West India Dock (Confirming Agreement with London, Tilbury, and Southend Railway Company as to supply of Water). Ch. xxxix.
Glasgow Harbour (Authorising Trustees of Clyde Navigation to construct Docks, &c., and to borrow Money). Ch. clvi.
Hull Docks (Amending Acts, &c.) Ch. xxvii.
Hull, Barnsley, and West Riding Junction Railway and Dock (Various Powers). Ch. cxliii.
King's Lynn Graving Dock (Construction of Works). Ch. cxcv.
Milford Docks (Creation of Debenture Stock, Settlement of Company's Affairs). Ch. ccxxix.
Newport Dock (Transfer of Undertaking to Alexandra (Newport and South Wales) Docks and Railway Company, &c.) Ch. clxxix.

Class 9.—Harbours, Docks, Ports, Piers, Quays, &c.—*continued.*

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Penzance Harbour (Repealing and re-enacting portions of Acts and Order). Ch. lxxiv.
Preston Docks (Construction by Corporation). Ch. cxv.
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Swansea Harbour (Extension of Time, &c.) Ch. xx.

[*For Acts confirming Provisional Orders under the General Pier and Harbour Act, see* Class 19 (6).]

Class 10.—Improvements in Towns, Municipal and County and Local Government Matters, Markets, &c.

Aberdeen (Extension and Improvement). Ch. lx.
Aberdeen County and Burgh Roads (Continuing and amending the Aberdeenshire Roads Act, 1865). Ch. viii.
Birmingham Corporation (Consolidating Local Acts and Orders). Ch. lxx.
Brighton Corporation Waterworks (Enabling Corporation to raise further Moneys). Ch. ciii.
Burnley (Amending and extending Borough Acts, &c.) Ch. lxxvii.
Cork Corporation (Additional Money for Bridges and Works). Ch. cxxv.
Dublin (South) City Market (Amending Acts of 1876 and 1879). Ch. xxix.
Dumbarton (Authorising Water Commissioners to make additional Waterworks; and regulating streets, &c.) Ch. cxlviii.
Exeter (Empowering Corporation to borrow for settlement of Claims of Mortgages of Exeter Canal, &c.) Ch. xxxiii.
Glasgow Corporation (Loans, &c.) Ch. cvi.
Hartlepool (Extending Boundaries of Borough). Ch. cxliv.
Heywood Corporation (Gas, Water, &c.; Borrowing of Money). Ch. lxxi.
Landport (Empowering Corporation of Portsmouth to construct Wharf, &c.) Ch. clxv.
Liverpool (Further Provision as to Pall Mall and Ray Street). Ch. lxxii.
Longton (Extension and Improvement of Borough). Ch. lxii.
Metropolitan Board of Works (Re-construction of Hammersmith Bridge; providing for free use of East and West Ferry Roads, Poplar). Ch. clxxvii.
Metropolitan Board of Works (New Streets, &c.) Ch. clxxviii.
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Nottingham Corporation (Street Improvements; Water and Gas, &c.) Ch. lxxviii.
Paddington Market (Establishment and Regulation). Ch. clviii.
Penzance (Repealing and re-enacting portions of Acts and Order relating to Harbour). Ch. lxxiv.
Portsmouth Corporation (Borrowing of Money). Ch. ccxi.
Preston (Extending Borough, and transferring Undertakings of Ribble Navigation Company to Corporation). Ch. cxv.
Preston Park (Authorising sale to and purchase by Corporation of Brighton of certain Lands). Ch. vi.
Sheffield Corporation (Conversion of Statutable Securities; Sanitary Powers, &c.; Tramways, &c.) Ch. lvii.
Staveley (Transferring to Rural Sanitary Authority for Chesterfield Union the Undertaking of Staveley Waterworks Company). Ch. lviii.
Stoke-upon-Trent and Fenton (Dissolving Joint Gas Committee). Ch. cxlix.
Wigan District (Making provision for support of Public Sewers, &c. in Mining Districts). Ch. xxxv.
Workington (Empowering Local Board of Health to construct Waterworks, &c.) Ch. l.

[*For Acts confirming Provisional Orders under Acts relating to subjects embraced in this Class see* Class 19 (1), (3), (7), (10), (11).]

Class 11.—Inclosures of Commons.

[*For Act confirming Provisional Order in pursuance of Report of Land Commissioners for England, see* Class 19 (8).]

Class 12.—Parish Affairs.

Drypool Parish Burial Ground, Kingston-upon-Hull (Sale of portions of certain Lands). Ch. cxxii.
Holy Trinity, Coventry (Abolition of Vicar's Rate, &c.) Ch. cxxiv.
Saint Saviour's Southwark (Abolition of Church Rate, &c.) Ch. xi.

[*For Acts confirming Provisional Orders under Elementary Education Act and Poor Law Acts, see* Class 19 (4), (10 *c*).]

Class 13.—Personal Affairs.

Chetham, William (Improvements in Self-acting Temples for Looms). Ch. i.
Haddan, Herbert John (Improvements in Electric Lamps). Ch. clxxxv.
Law, J. and H. (Improvements in appliances for heating, &c. Wire used in the manufacture of Cards for Carding Fibres. Ch. liii.
Mullings, Thomas John (Reviving Letters Patent for new process for extracting Oil and Fat, &c. from Wool, &c.) Ch. v.

Class 14.—Railways.

Anstruther and Saint Andrews (Extension of Railway). Ch. c.
Ballina and Killala Railway and Harbour (Construction of Works). Ch. cliii.
Ballymena, Cushendall, and Redbay (Reviving Powers of Act of 1878 for taking Lands, and extending Time). Ch. cxxviii.
Banbury and Cheltenham Direct (Further Powers). Ch. cliv.
Barrmill and Kilwinning (Construction of Line). Ch. cxciv.
Belfast and Northern Counties (Subscription to Limavady and Dungiven Undertaking, &c.) Ch. cxxvii.
Bexley Heath (Construction of Line). Ch. clxxxvi.
Billinghay and Metheringham Light (Construction of Line). Ch. cxvii.
Caledonian and Callander and Oban (Making Railways; Abandonment of authorised Railway; Extension of Time, &c.) Ch. xiv.
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East London (Varying Powers, &c.) Ch. li.
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Great Western (Agreements with other Companies, &c.) Ch. cxciii.
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Halesowen (Amending Act of 1865). Ch. cxix.
Holsworthy and Bude (Construction of Line). Ch. ccii.
Hounslow and Metropolitan (Further Powers). Ch. xlix.
Hull, Barnsley, and West Riding Junction Railway and Dock (Various Powers). Ch. cxliii.
Lambourn Valley (Construction of Line). Ch. clxxvi.
Lancashire and Yorkshire (Further Powers). Ch. clxix.
London and North-western (New Railways; Lancashire Union Undertaking). Ch. cx.
London and North-western (Additional Powers). Ch. cxlv.
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Londonderry and Enniskillen (Amalgamation with Great Northern of Ireland). Ch. cxxx.
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Paisley (Regulating the Faculty of Procurators, and providing for Dissolution thereof). Ch. xxxvii.
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[*For Acts confirming Provisional Orders under Tramways Acts, see* Class 19 (14), (15).]

Class 17.—Turnpike and other Roads.

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[Note.—*By the* "Annual Turnpike Acts Continuance Act, 1883," *certain Local Acts are repealed, and certain other Local Acts are continued for specified terms. See Schedules to* 46 & 47 Vict. c. 21. (*Public.*)]

Class 18.—Water Companies.

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Limerick (Additional Works and Additional Capital). Ch. clxii.
Portishead District (Authorising Company to construct additional Works, &c.) Ch. xxxii.
Portsmouth (Conferring further Powers on Borough of Portsmouth Company). Ch. clix.
South-west Suburban (Amalgamation of Undertakings of Norwood and Sunningdale Companies). Ch. cxlvii.
Staveley (Transferring Undertaking to Rural Sanitary Authority for Chesterfield Union). Ch. lviii.
Windsor and Eton (Incorporating Company, &c.) Ch. cxcii.

[*For Acts confirming Provisional Orders under the Gas and Water Works Facilities Act, see* Class 19 (5).]

Class 19.—Provisional Orders Confirmation.

(1.) *Under Artizans and Labourers Dwellings Acts*, 1875-1882:

Order of Secretary of State for the improvement of an unhealthy area situated at Tench Street, Saint George-in-the-East, within the Metropolis. Ch. xciv.
Order for the improvement of an unhealthy area situated at Brook Street, Limehouse, within the Metropolis. Ch. xcv.
Order for the improvement of an unhealthy area situated at Windmill Row, New Cut, Lambeth, within the Metropolis. Ch. xcvi.
Order for the improvement of an unhealthy area situated at Trafalgar Road, Greenwich, within the Metropolis. Ch. xcvii.

(2.) *Under Drainage and Improvement of Lands (Ireland) Act*, 1863:

Orders under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same, relating to Milford District (Cork), Hogans Pass District (Tipperary), Owenroe or Moynalty River District (Meath), and Swilly Burn District (Donegal). Ch. xxi.
Orders relating to Shiven River District (Galway) and Nanny River District (Meath). Ch. lxxxviii.

(3.) *Under Electric Lighting Act*, 1882:

Orders of the Board of Trade under the Electric Lighting Act, 1882, relating to Cambridge, Canterbury, Chelsea, Finchley, Folkestone, Gravesend, Greenock, Greenwich, High Wycombe, Ipswich, Maidstone, and Sunderland. Ch. ccxiii.
Orders relating to Aston, Birkdale, Dudley, Saltley, Ulverston, West Bromwich, and Wolverhampton. Ch. ccxiv.
Orders relating to Balsall Heath, Birmingham, Redditch, and Walsall. Ch. ccxv.
Orders relating to Barton Eccles Winton and Monton, Carlisle, Croydon, Luton, Margate, Nelson, Rochester, Scarborough, and Sudbury. Ch. ccxvi.
Orders relating to Bermondsey, Clerkenwell, Hampstead, Holborn, Hornsey, St. George's-in-the-East, St. Giles' (Brush), St. James' and St. Martin's, St. Luke's, and Wandsworth. Ch. ccxvii.
Orders relating to Limehouse, Poplar, Richmond (Surrey), Rotherhithe, St. Giles's (Pilsen Joel), St. Olave, St. Saviour's (Southwark), Shoreditch, and Wednesbury and Darlaston. Ch. ccxviii.
Orders relating to Barnes and Mortlake, Hackney, Islington, St. Pancras (Middlesex), and Whitechapel. Ch. ccxix.

Class 19.—Provisional Orders Confirmation—*continued.*

(3.) *Under Electric Lighting Act*, 1882—continued.

Orders relating to Bradford, Brighton, Hanover Square District (London), Norwich, South Kensington District (London), Strand District (London), and Victoria District (London). Ch. ccxx.

Orders relating to Bristol, Grantham, and Lowestoft. Ch. ccxxi.

Orders relating to Chiswick and St. George-the-Martyr, Southwark. Ch. ccxxii.

Order relating to Dundee. Ch. ccxxiii.

(4.) *Under Elementary Education Act*, 1870:

Orders of the Education Department under the Elementary Education Act, 1870, relating to the School Boards for Cummersdale, Cumberland; Hayfield, Derbyshire; Little Eaton, Derbyshire; Stroud, Gloucestershire; and Treuddyn, Flintshire. Ch. xlii.

Order relating to the School Board for London. Ch. cxxxii.

(5.) *Under Gas and Water Works Facilities Act*, 1870:

Orders of the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Bilston Gas, Broadstairs Gas, Calne Gas, Enfield Gas, Ferndale Gas, Saint Neots Gas, Tadcaster and Wetherby District Gas, Swanage Gas and Water, and Ystrad Gas and Water. Ch. xlvi.

Orders of the Board of Trade relating to Blandford District Water, Farnborough District Water, Gosport Water, Herne Bay Water, Newmarket Water, Newport and Pillgwenlly Water, and Pontypridd Water. Ch. xlviii.

Order of the Local Government Board relating to the Local Government District of Festiniog. Ch. cxxxiv.

(6.) *Under General Pier and Harbour Act*, 1861:

Orders of the Board of Trade under the General Pier and Harbour Act, 1861, relating to Inverness, Lamlash, Leven, Methil, Porthleven, Truro, and Wick and Pulteney. Ch. xliii.

Order relating to Whitby. Ch. xlv.

(7.) *Under General Police and Improvement (Scotland) Act*, 1862:

Order made under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Broughty Ferry. Ch. xix.

(8.) *Under Inclosure Acts:*

Order for the inclosure of the Common Fields and Pastures, situate in the Parish of Hildersham (Cambridge), in pursuance of a Report of the Land Commissioners for England. Ch. lxxxiv.

(9.) *Under Land Drainage Act*, 1861:

Order under the Land Drainage Act, 1861, relating to Burgh Saint Peter Improvements (Norfolk). Ch. ii.

Order relating to Didcot Improvements, situate in the several Parishes of Didcot, East Hagbourne, and Long Wittenham, and in the Chapelry of Appleford in the Parish of Sutton Courtney (Berks). Ch. lxxxv.

(10.) *Under Local Government and other Acts:*

(*a*) *Gas and Water Works Facilities Act*, 1870, *&c.*:

Order of the Local Government Board under the Gas and Water Works Facilities Act, 1870, &c., relating to the Local Government District of Festiniog. Ch. cxxxiv.

(*b*) *Highways and Locomotives Act*, 1878:

Order of the Local Government Board under the Highways and Locomotives (Amendment) Act, 1878, relating to the county of Dorset. Ch. lxxxii.

Class 19.—Provisional Orders Confirmation—*continued.*

(10.) *Under Local Government and other Acts*—continued.

(*c*) *Poor Law Acts:*

Orders of the Local Government Board under the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, and the Divided Parishes and Poor Law Amendment Act, 1882, relating to the parishes of Brafield-on-the-Green, Brentor, Cairau, Clungunford, Cogenhoe or Cooknoe, Courteenhall, Cwmcarvan, Great Houghton, Hope-Mansell, Hopton-Castle, Horton, Lamerton, Lew-Trenchard, Little Houghton, Llandough, Llangaffo, Llangeinwen, Lower Slaughter, Michaelstone-super-Ely, Mitchel-Troy, Newington-Bagpath, Newland, Owlpen, Pennarth Peterstone-super-Ely, Peter-Tavy, Road or Rode, Ruardean, Saint Bride-super-Ely, Saint Fagans, Tavistock, Thrushelton, Upper-Slaughter, Walford, Whitchurch, and Wootton, to the Townships of Brimington, Claylane, Coal-Aston, Morton, North-Wingfield, Pilsley, Tapton, Unstone, and Woodthorpe, and to the Tything of Lea-Bailey. Ch. lxxx.

Orders under the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, relating to the Parishes of Black Torrington, Bradford, Bridgerule-East, Carhampton, Dodington, Fulwood, High-Hampton, Hinders-lane-and-Dockham, Holford, Monksilver, Old-Cleve, Pancrasweek, Pleasley, Porlock, Pyworthy, Selworthy, Stogumber, Sutcombe, Upper-Langwith, and Withycombe; to the Townships of East-Dean, Hucknall-under-Huthwaite, and Sutton-in-Ashfield; and to the Tything of Lea-Bailey. Ch. cxxxviii.

Orders under the Poor Law Amendment Act, 1867, as amended by the Poor Law Amendment Act, 1868, and extended by the Poor Law Act, 1879, relating to the Parishes of Birmingham and Lambeth. Ch. lxxxi.

(*d*) *Public Health Act*, 1875:

Orders of the Local Government Board relating to the Local Government District of Abertillery, the Rural Sanitary Districts of the Horsham and Penzance Unions, the Boroughs of Portsmouth and Scarborough, the Local Government Districts of Shirley-and-Freemantle and Staines, the City of Truro, and the Local Government Districts of Walton-on-the-Hill and Wimbledon. Ch. xviii.

Order relating to the Improvement Act District of West Hartlepool. Ch. ccxxiv.

Orders relating to the Improvement Act District of Bethesda, the Borough of Darlington, the Evesham Joint Hospital District, the Faversham Joint Hospital District, the Improvement Act District of Kington, the Lower Thames Valley Main Sewerage District, the Boroughs of Maldon and Sandwich, and the Local Government Districts of Torquay, and Wanstead and Woodford. Ch. lxxxix.

Orders relating to the Borough of Cheltenham, the Local Government District of Croydon, the Borough of Dorchester, the Rural Sanitary District of the Hendon Union, and the Local Government Districts of Malvern and Willenhall. Ch. cxxxv.

Orders relating to the Local Government District of Ashton-in-Makerfield, the Borough of Ashton-under-Lyne and the Local Government Districts of Dukinfield and Hurst, the Boroughs of Burnley and Doncaster, the Town of Hove, the Local Government District of Hucknall-under-Huthwaite, the Improvement Act District of Llandudno, the Borough of Middlesbrough, the Port of Newport (Mon.), the Borough of Rochdale, and the Local Government Districts of Sutton-in-Ashfield and West Ham. Ch. cxxxvi.

Orders relating to the Rural Sanitary District of the Barnet Union, the Local Government Districts of Brentford, Chilvers Coton, and Nuneaton, the Stourbridge Main Drainage District, the Borough of Stratford-upon-Avon, the Rural Sanitary District of the Stroud Union, and the Local Government District of Wellington (Somerset). Ch. xc.

Orders relating to the Local Government District of Bognor, the Borough of Cheltenham, the Improvement Act District of Chiswick, the Borough of Plymouth, the Local Government District of Skipton, the Borough of Stockton, and the Local Government District of South Stockton, and the Local Government Districts of Stroud and Wallasey. Ch. cxxxvii.

Class 19.—Provisional Orders Confirmation—*continued.*

(10.) *Under Local Government and other Acts*—continued.

(*d*) *Public Health Act*, 1875—continued.

Orders relating to the Boroughs of Kingston-upon-Hull and Leeds, and the District of Weston-super-Mare. Ch. xcix.

Orders relating to the Local Government Districts of Haslingden, Ramsbottom, and Rawstenstall. Ch. ccxxv.

Order relating to the Borough of Leeds. Ch. xci.

Order relating to the Local Government District of Festiniog. Ch. cxxxiv.

(11.) *Under Local Government* (*Ireland*) *and Public Health* (*Ireland*) *Acts*:

Orders of the Local Government Board for Ireland relating to the Township of Rathmines and Rathgar, and to the Towns of Tralee and Warrenpoint. Ch. xl.

Order relating to Waterworks in the town of Killarney. Ch. xliv.

Orders relating to the towns of Carlow and Listowel, and to the Newtownards Gas Undertaking. Ch. lxxxiii.

Order relating to Waterworks in the city of Limerick. Ch. xcii.

(12.) *Under Public Health* (*Scotland*) *Act*, 1867:

Order of Secretary of State under the Public Health (Scotland) Act, 1867, relating to the burgh of Fraserburgh [Waterworks]. Ch. xcviii.

(13.) *Under Sea Fisheries Act*, 1868:

Orders* of the Board of Trade under the Sea Fisheries Act, 1868, relating to Hamford Water, Hunstanton (le Strange), and Swansea. Ch. x.

(14.) *Under Tramways Act*, 1870:

Orders of the Board of Trade under the Tramways Act, 1870, relating to Aldershot and Farnborough Tramways Extensions, Bradford Corporation Tramways, Hartlepool Tramways, Liverpool Corporation Tramways, Macclesfield Tramways, and North Staffordshire Tramways. Ch. cxxxi.

Orders relating to Birmingham and Western Districts Tramways, Edgbaston and Harborne Tramways, North Birmingham Tramways, Oldham, Ashton-under-Lyne, Hyde and District Tramways, South Birmingham Tramways, and Southend-on-Sea and District Tramways. Ch. xlvii.

Orders relating to Colchester Tramways, Halifax and Districts Tramways, Oxford Tramways Extensions, Rhyl, Voryd, and Plastirion Tramways, Spen Valley and District Tramways, and Yarmouth and Gorleston Tramways Extension. Ch. cxxxiii.

Orders relating to South Shields Corporation Tramways, and Wolverton and Stony Stratford Tramways. Ch. xciii.

(15.) *Under Tramways* (*Ireland*) *Act*, 1860:

Order made by the Lord Lieutenant of Ireland in Council, under the Tramways (Ireland) Act, 1860, extending the time for the completion of the Dublin and Blessington Steam Tramways. Ch. xxx.

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* These Orders relate to Oyster and Mussel Fisheries.

TABLES

SHOWING

THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE A.—Acts of 46 & 47 Vict. (in order of Chapter), showing their effect on former Acts.

TABLE B.—Acts of former Sessions (in chronological order) Repealed and Amended by Acts of 46 & 47 Vict.

(A.)

Acts of 46 & 47 Vict. (in order of Chapter), showing their effect on former Acts.

CH.

1. CONSOLIDATED FUND (PERMANENT CHARGES REDEMPTION) [U.K.]
   Amends 36 & 37 Vict. c. 57., Consolidated Fund (Permanent Charges Redemption) Act, 1873.

2. CONSOLIDATED FUND (No. 1) (6,355,258*l.* 9*s.* 8*d.*) [U.K.]

3. EXPLOSIVE SUBSTANCES [U.K.]
   Amends the law relating to Explosive Substances.
   Applies 38 & 39 Vict. c. 17., Explosives Act, 1875.

4. NATIONAL GALLERY (LOAN) [U.K.]
   Authorises loan of Works of Art.

5. CONSOLIDATED FUND (No. 2) (6,240,100*l.*) [U.K.]

6. ARMY (ANNUAL) [U.K.]
   Continues, and amends, 44 & 45 Vict. c. 58., Army Act, 1881.

7. BILLS OF SALE (IRELAND) ACT (1879) AMENDMENT [I.]
   Amends 42 & 43 Vict. c. 50., Bills of Sale (Ireland) Act, 1879.

8. GLEBE LOAN (IRELAND) ACTS AMENDMENT [I.]
   Amends 33 & 34 Vict. c. 112.,]
   ,, 34 & 35 Vict. c. 100., |
   ,, 38 & 39 Vict. c. 30., } Glebe Loan (Ireland) Acts, 1870 to 1880.
   ,, 41 & 42 Vict. c. 6., |
   ,, 43 & 44 Vict. c. 2.,]

9. ISLE OF MAN HARBOURS [E.]
   Construes Act with 35 & 36 Vict. c. 23., Isle of Man Harbours Act, 1872.
   Amends, and applies, 10 & 11 Vict. c. 27., Harbours, &c. Act, 1847.

10. CUSTOMS AND INLAND REVENUE [U.K.]
    Grants Import Duties on Tea.
    Amends 39 & 40 Vict. c. 36., Customs Consolidation Act, 1876, as regards certain explosive substances.
    Alters date of expiration of certain game licences and gun licences taken out under 23 & 24 Vict. c. 90., Game Certificates, &c. Act, 1860, and 33 & 34 Vict. c. 57., Gun Licence Act, 1870.
    Grants duties of Income Tax, and applies former Acts.

Table A.—Acts of 46 & 47 Vict. (in order of Chapter), &c.—*continued.*

Ch.

11. Poor Law Conferences [E.]
Provides for expenses incurred by guardians of the poor in relation to Poor Law Conferences.
Applies 42 & 43 Vict. c. 12., Poor Law Act, 1879.

12. Prevention of Crime (Ireland) Act, 1882, Amendment (Audience of Solicitors) [I.]
Amends 45 & 46 Vict. c. 25., Prevention of Crime (Ireland) Act, 1882.

13. Consolidated Fund (No. 3) (5,973,912*l.*) [U.K.]

14. Constabulary and Police (Ireland) [I.]
Amends 37 & 38 Vict. c. 80., Constabulary (Ireland) Act, 1874.
,, 10 & 11 Vict. c. 100., Constabulary and Police (Ireland) Act, 1847.
,, 34 & 35 Vict. c. 76., Summary Jurisdiction (Ireland) Amendment Act, 1871.
Applies 6 & 7 Will. 4. c. 29.

15. Lands Clauses (Umpire) Act [E. & I.]
Amends 8 & 9 Vict. c. 18., Lands Clauses Consolidation Act, 1845.

16. Lord Alcester's Grant [U.K.]
Grants 25,000*l.* to Baron Alcester.

17. Lord Wolseley's Grant [U.K.]
Grants 30,000*l.* to Baron Wolseley.

18. Municipal Corporations [E.]
Amends and extends 45 & 46 Vict. c. 50., Municipal Corporations Act, 1882.
Repeals 17 & 18 Vict. c. 71., Borough Rates Act, 1854.
Applies 17 & 18 Vict. c. 57., Returning Officers Act, 1854.
,, 6 & 7 Vict. c. 18., Parliamentary Registration Act, 1843.
,, 38 & 39 Vict. c. 55., Public Health Act, 1875.
,, 16 & 17 Vict. c. 137., &c., Charitable Trusts Acts, 1853 to 1869.

19. Medical Act (1858) Amendment [I.]
Amends 21 & 22 Vict. c. 90., Medical Act (1858).

20. Registry of Deeds Office (Ireland) Holidays [I.]
Amends 2 & 3 Will. 4. c. 87., Registry of Deeds, &c., Ireland.

21. Annual Turnpike Acts Continuance [E.]
Continues and repeals certain Turnpike Acts as set forth in Schedules 1 to 7.

22. Sea Fisheries [U.K., &c.]
Amends 31 & 32 Vict. c. 45., Sea Fisheries Act, 1868.
Exempts certain British sea-fishing boats from application of section 176 of 39 & 40 Vict. c. 36., Customs Consolidation Act, 1876.
Continues 6 & 7 Vict. c. 79. (Fisheries Act, 1843), as to French Convention.
Repeals part of 6 & 7 Vict. c. 79., Fisheries Act, 1843.
,, ,, 31 & 32 Vict. c. 45., Sea Fisheries Act, 1868.
,, section 15 of 40 & 41 Vict. c. 42., Fisheries Act, 1877.
,, provisionally part of 31 & 32 Vict. c. 45., Sea Fisheries Act, 1868.
,, ,, section 3 of 38 Vict. c. 15., Sea Fisheries Act, 1875.
Applies Merchant Shipping Acts as regards lights and "wreck."
,, 39 & 40 Vict. c. 36., Customs Consolidation Act, 1876, &c.
,, in England, Summary Jurisdiction Acts, 42 & 43 Vict. c. 49., &c.
,, in Scotland, 27 & 28 Vict. c. 53. and 44 & 45 Vict. c. 33., Summary Jurisdiction Acts, 1864 and 1881.
,, in Ireland, 14 & 15 Vict. c. 93., Petty Sessions (Ireland) Act, 1851, &c.

23. Consolidated Fund (No. 4) (15,182,707*l.*) [U.K.]

24. Relief of Distressed Unions (Ireland) [I.]
Applies 32 & 33 Vict. c. 42., and 44 & 45 Vict. c. 71., } Irish Church Acts, 1869 and 1881.

25. Prison Service (Ireland) [I.]
Explains and amends s. 32 of 40 & 41 Vict. c. 49. (General Prisons (Ireland) Act, 1877), as to the term "prison service."

Table A.—Acts of 46 & 47 Vict. (in order of Chapter), &c.—*continued.*

CH.

26. SEA FISHERIES (IRELAND) [I.]
Constitutes Fishery Piers and Harbours Commission, and creates Sea Fisheries Fund.
Applies 32 & 33 Vict. c. 42., } Irish Church Acts, 1869 and 1881.
,, 44 & 45 Vict. c. 71., }
,, Fishery Piers and Harbours Acts.
Exempts grants under this Act from enactments contained in s. 2 of 29 & 30 Vict. c. 45., Fishery Piers and Harbours Act, 1866, and in sub-section 4 of s. 4 of 9 & 10 Vict. c. 3., Fishery Piers and Harbours Act, 1846.

27. METROPOLITAN BOARD OF WORKS (MONEY) [E.]
Amends 45 & 46 Vict. c. 33., Metropolitan Board of Works (Money) Act, 1832.
,, 32 & 33 Vict. c. 102., Metropolitan Board of Works (Loans) Act, 1869.
Applies 18 & 19 Vict. c. 120., Metropolis Management Act, 1855.
,, Main Drainage Acts.
,, 24 & 25 Vict. c. 98., as to Forgery of Metropolitan Bills.
Empowers Board to expend moneys for purposes described in First Schedule.

28. COMPANIES [U.K.]
Amends 25 & 26 Vict. c. 89., } Companies Acts, 1862 and 1867.
,, 30 & 31 Vict. c. 131., }

29. SUPREME COURT OF JUDICATURE (FUNDS, &c.) [E.]
Amends, and applies, 35 & 36 Vict. c. 44., Chancery Funds Act, 1872.

30. COMPANIES (COLONIAL REGISTERS) [C.]
Applies Companies Acts, 1862 to 1880.

31. PAYMENT OF WAGES IN PUBLIC-HOUSES PROHIBITION [E. & S.]
Extends prohibition as to payment of wages in public-houses, &c. contained in 35 & 36 Vict. c. 76., Coal Mines Regulation Act, 1872, and 35 & 36 Vict. c. 77., Metalliferous Mines Regulation Act, 1872.
Applies, in England, Summary Jurisdiction Acts.
,, in Scotland, 27 & 28 Vict. c. 53. and 44 & 45 Vict. c. 33., Summary Jurisdiction (Scotland) Acts, 1864 and 1881.

32. GREENWICH HOSPITAL [U.K.]
Enacts that grants under Order in Council of 1875 shall be deemed to have been authorised by 28 & 29 Vict. c. 89., Greenwich Hospital Act, 1865.

33. IRISH REPRODUCTIVE LOAN FUND AMENDMENT [I.]
Amends 37 & 38 Vict. c. 86., Irish Reproductive Loan Fund Act, 1874.

34. CHEAP TRAINS [E. & S.]
Amends sections 4 and 7 of 5 & 6 Vict. c. 79., Duties on Stage Carriages, &c.
Repeals section 20 of 5 & 6 Vict. c. 55*., Regulation of Railways and Conveyance of Troops.
,, in part 7 & 8 Vict. c. 85*., Construction of Railways.
,, section 18 of 16 & 17 Vict. c. 69*., Service in the Navy.
,, sections 1 and 2 of 21 & 22 Vict. c. 75*., Cheap Trains.
,, section 14 of 26 & 27 Vict. c. 33*., Inland Revenue.
Applies 44 & 45 Vict. c. 58., Army Act, 1881.

35. DISEASES PREVENTION (METROPOLIS) [E.]
Provides for isolation and treatment of Cholera and other patients.
Applies 18 & 19 Vict. c. 116., Diseases Prevention Act, 1855.
,, 30 & 31 Vict. c. 6., Metropolitan Poor Act, 1867.
,, 18 & 19 Vict. c. 120., Metropolis Management Act, 1855.
,, Lands Clauses Acts.
Provides for application of 18 & 19 Vict. c. 116., Diseases Prevention Act, 1855, to hamlet of Mottingham (Kent).

* Except so far as relates to Ireland, and except as respects the conveyance of forces by Companies who lose the benefit of this Act (s. 10).

Table A.—Acts of 46 & 47 Vict. (in order of Chapter), &c.—*continued.*

Ch.

36. City of London Parochial Charities [E.]
Appoints Charity Commissioners to be Commissioners under this Act, to exercise powers of 16 & 17 Vict. c. 137, Charitable Trusts Act, 1853, &c.
Extends section 11 of 16 & 17 Vict. c. 137., } Charitable Trusts Acts, 1853 and
,, sections 6 to 9 of 18 & 19 Vict. c. 124., } 1855.
Construes Act with, and applies, Charitable Trusts Acts, 1853 to 1869.

37. Public Health Act, 1875 (Support of Sewers), Amendment [E.]
Amends 38 & 39 Vict. c. 55., Public Health Act, 1875.
Applies 10 & 11 Vict. c. 17., Waterworks Clauses Act, 1847.

38. Trial of Lunatics [E. & I.]
Repeals s. 1 of 39 & 40 Geo. 3. c. 94., Criminal Lunatics.
,, s. 16 of 1 & 2 Geo. 4. c. 33., Lunatics (Ireland).
,, s. 3 of 3 & 4 Vict. c. 54., Criminal Lunatics.
Applies 3 & 4 Vict. c. 54., Criminal Lunatics.

39. Statute Law Revision [U.K.]
Repeals (with Savings) the enactments described in the Schedule. [*These enactments will be found in their chronological order in Table B.* *See p.* 488 *et seq.*]

40. Expiring Laws Continuance [U.K.]
Continues (as specified in Schedule) the following Acts, and enactments amending the same; viz.:—
5 & 6 Will. 4. c. 27., Linen, &c. Manufactures (Ireland).
3 & 4 Vict. c. 89., Poor Rates (Stock in Trade Exemption).
4 & 5 Vict. c. 35., Copyhold, Inclosure, and Tithe Commissioners (now Land Commissioners).
4 & 5 Vict. c. 59., Application of Highway Rates to Turnpike Roads.
10 & 11 Vict. c. 32., Landed Property Improvement (Ireland).
10 & 11 Vict. c. 98., Ecclesiastical Jurisdiction.
11 & 12 Vict. c. 32., County Cess (Ireland).
14 & 15 Vict. c. 104., Episcopal, &c. Estates.
23 & 24 Vict. c. 19., Dwellings for Labouring Classes (Ireland).
24 & 25 Vict. c. 109., Salmon Fishery (England).
26 & 27 Vict. c. 105., Promissory Notes.
27 & 28 Vict. c. 20., Promissory Notes, &c. (Ireland).
28 & 29 Vict. c. 46., Militia Ballots Suspension.
28 & 29 Vict. c. 83., Locomotives on Roads.
29 & 30 Vict. c. 52., Prosecution Expenses.
32 & 33 Vict. c. 21., Election Commissioners Expenses.
32 & 33 Vict. c. 56., Endowed Schools (Schemes).
34 & 35 Vict. c. 87., Sunday Observance Prosecutions.
35 & 36 Vict. c. 33., Parliamentary and Municipal Elections (Ballot).
36 & 37 Vict. c. 48., Regulation of Railways.
38 & 39 Vict. c. 48., Police Expenses.
38 & 39 Vict. c. 84., Returning Officers Expenses.
39 & 40 Vict. c. 21., Juries (Ireland).
41 & 42 Vict. c. 41., Returning Officers Expenses (Scotland).
41 & 42 Vict. c. 72., Sale of Liquors on Sunday (Ireland).
43 Vict. c. 18., Parliamentary Elections.

41. Merchant Shipping (Fishing Boats) [U.K., except Scotland.]
Amends 17 & 18 Vict. c. 104., &c., Merchant Shipping Acts, 1854 to 1880.
Construes Act with, and applies, Merchant Shipping Acts, 1854 to 1882.
Repeals in part 17 & 18 Vict. c. 104., Merchant Shipping Act, 1854.*
,, section 13 (1) of 25 & 26 Vict. c. 63., Merchant Shipping Acts Amendment Act, 1862.*
,, section 8 of 36 & 37 Vict. c. 85., Merchant Shipping Acts Amendment Act, 1873.*
,, in part 43 & 44 Vict. c. 16., Merchant Seamen (Payment of Wages and Rating) Act, 1880.*
,, that part remaining unrepealed of 50 Geo. 3. c. 108., British Fisheries.*
Incorporates Part I. of 17 & 18 Vict. c. 104., Merchant Shipping Act, 1854.
Applies 38 & 39 Vict. c. 55., Public Health Act, 1875.
,, 18 & 19 Vict. c. 120., Metropolis Management Act, 1855.
,, 30 & 31 Vict. c. 101., Public Health (Scotland) Act, 1867.
,, 41 & 42 Vict. c. 52., Public Health (Ireland) Act, 1878.

* Except so far as relates to Scotland.

Table A.—Acts of 46 & 47 Vict. (in order of Chapter), &c.—*continued.*

Ch.

42. Public Works Loans [U.K.]
Grants 3,000,000*l.* for Public Works, and 1,200,000*l.* for Public Works in Ireland.
Grants 400,000*l.* to Irish Land Commission under 44 & 45 Vict. c. 49., Land Law (Ireland) Act, 1881, and under 46 & 47 Vict. c. 43., Tramways and Public Companies (Ireland) Act, 1883.
Borrowing powers for purposes of 46 & 47 Vict. c. 43., Tramways and Public Companies (Ireland) Act, 1883: Extends section 6 of 45 & 46 Vict. c. 62., Public Works Loans Act, 1882.
Amends 45 & 46 Vict. c. 47., Arrears of Rent (Ireland) Act, 1882.
,, and applies, 40 & 41 Vict. c. 27., Public Works Loans (Ireland) Act, 1877.
Applies 38 & 39 Vict. c. 89., Public Works Loans Act, 1875.
Makes provision as to certain Loans respecting Arbroath Harbour; Athlunkard Bridge, Limerick; Green Street Court House, Dublin; and certain Lands and Mills on river Corrib, Galway.

43. Tramways and Public Companies (Ireland) [I.]
Amends 45 & 46 Vict. c. 47., Arrears of Rent (Ireland) Act, 1882.
,, 44 & 45 Vict. c. 49., Land Law (Ireland) Act, 1881.
,, Tramways (Ireland) Acts, 23 & 24 Vict. c. 152., &c.
Applies 33 & 34 Vict. c. 46., Landlord and Tenant (Ireland) Act, 1870.
Construes Act with Tramways (Ireland) Acts.

44. Borough Constables [E.]
Explains the effect of section 195 of 45 & 46 Vict. c. 50., Municipal Corporations Act, 1882.

45. Counterfeit Medals [U.K.]
Provides against sale of Medals resembling current coin.

46. Corrupt Practices (Suspension of Elections) [E.]
Suspends elections for Boston, Canterbury, Chester, Gloucester, Macclesfield, Oxford, and Sandwich.

47. Provident Nominations and Small Intestacies [U.K.]
Extends portions of the following Acts; viz.,
38 & 39 Vict. c. 60. s. 15. (3), (4), Friendly Societies Act, 1875.
39 & 40 Vict. c. 45. s. 11. (5), (6), Industrial, &c. Societies Act, 1876.
39 & 40 Vict. c. 22. s. 10., Trade Union Act Amendment Act, 1876.
26 & 27 Vict. c. 87. ss. 41 to 43, Trustee Savings Bank Act, 1863.
7 & 8 Vict. c. 83. s. 10., Savings Banks Act, 1844.
45 & 46 Vict. c. 51. s. 6. (e), Government Annuities Act, 1882.

48. Cholera Hospitals (Ireland) [I.]
Provides for the erection of temporary Cholera Hospitals.

49. Statute Law Revision and Civil Procedure [E.]
Repeals (with Savings) the enactments described in the Schedule. [*These enactments will be found in Table B. See p. 497.*]
Repeals enactments in Part II. of Schedule to 42 & 43 Vict. c. 59., Civil Procedure Acts Repeal Act, 1879.
Extends 36 & 37 Vict. c. 66., Applies 38 & 39 Vict. c. 77., } Supreme Court of Judicature Acts, 1873 and 1875.

50. Appropriation [U.K.]

51. Corrupt and Illegal Practices Prevention [U.K.]
Repeals s. 36 of 60 Geo. 3 & 1 Geo. 4. c. 11., Elections (Ireland).
,, 1 & 2 Geo. 4. c. 58. (except s. 3), Elections (Ireland).
,, s. 82 of 4 Geo. 4. c. 55., Elections (Ireland).
,, in part 17 & 18 Vict. c. 102., Corrupt Practices Prevention Act, 1854.
,, 21 & 22 Vict. c. 87., Corrupt Practices Prevention Act, 1854, Continuance.
,, 26 & 27 Vict. c. 29. (except s. 6), Corrupt Practices at Elections of Members of Parliament.
,, in part 30 & 31 Vict. c. 102., Representation of the People Act, 1867.
,, s. 25 of 31 & 32 Vict. c. 48., Representation of the People (Scotland) Act, 1868.
,, s. 12 of 31 & 32 Vict. c. 49., Representation of the People (Ireland) Act, 1868.

Table A.—Acts of 46 & 47 Vict. (in order of Chapter), &c.—*continued.*

CH.

51. CORRUPT AND ILLEGAL PRACTICES PREVENTION [U.K.]—*continued.*
Repeals part of s. 18 of 31 & 32 Vict. c. 58., Parliamentary Electors Registration Act, 1868.
,, in part 31 & 32 Vict. c. 125., Parliamentary Elections Act, 1868.
,, in part 35 & 36 Vict. c. 33., Ballot Act, 1872.
,, in part 42 & 43 Vict. c. 75., Parliamentary Elections and Corrupt Practices Act, 1879.
,, 43 Vict. c. 18 (except ss. 1 and 3), Parliamentary Elections and Corrupt Practices Act, 1880.
Amends and extends 15 & 16 Vict. c. 57., Election Commissioners Act, 1852.
Applies 31 & 32 Vict. c. 125., Parliamentary Elections Act, 1868.
,, 35 & 36 Vict. c. 33., Ballot Act, 1872.
,, 38 & 39 Vict. c. 84., Parliamentary Elections (Returning Officers) Act, 1875.
,, 30 & 31 Vict. c. 102., Representation of the People Act, 1867.
,, 17 & 18 Vict. c. 102., 26 & 27 Vict. c. 29., } Corrupt Practices Prevention Acts, 1854 and 1863.
,, 42 & 43 Vict. c. 22., Prosecution of Offences Act, 1879.
,, 32 & 33 Vict. c. 21., 34 & 35 Vict. c. 61., } Election Commissioners Expenses Acts, 1869 and 1871.
,, 6 Vict. c. 18., Parliamentary Registration Act, 1843.
,, Summary Jurisdiction Acts.
Continues Act until 31st December 1884.

52. BANKRUPTCY [E. (Certain express provisions relate to Scotland and Ireland.)]
Amends and consolidates the Law of Bankruptcy.
Repeals as to England the following enactments:—
13 Edw. 1. c. 18. in part. The Statutes of Westminster the Second, chapter eighteen, Execution by levying of lands and goods, &c.
32 & 33 Vict. c. 62. in part, Debtors Act, 1869.
32 & 33 Vict. c. 71., Bankruptcy Act, 1869.
32 & 33 Vict. c. 83. in part, Bankruptcy Repeal and Insolvent Court Act, 1869.
33 & 34 Vict. c. 76., Absconding Debtors Act, 1870.
34 & 35 Vict. c. 50. in part, Bankruptcy Disqualification Act, 1871.
38 & 39 Vict. c. 77. in part, Supreme Court of Judicature Act, 1875.
Extends 24 Geo. 3. c. 26., House of Commons (Election).
Applies 32 & 33 Vict. c. 62., Debtors Act, 1869.
,, 3 & 4 Will. 4. c. 74., Fines and Recoveries.
,, 38 & 39 Vict. c. 77., Supreme Court of Judicature Act, 1875.
,, 13 & 14 Vict. c. 60., Trustee Act, 1850.
,, 32 & 33 Vict. c. 71., Bankruptcy Act, 1869.
Consolidates London Bankruptcy Court with Supreme Court of Judicature.
Construes Act with 36 & 37 Vict. c. 66., Supreme Court of Judicature Act, 1873.

53. FACTORIES AND WORKSHOPS [U.K.]
Amends, explains, and applies 41 & 42 Vict. c. 16., Factory, &c. Act, 1878.

54. NATIONAL DEBT [U.K.]
Amends 38 & 39 Vict. c. 45., Sinking Fund Act, 1875.
Extends 26 & 27 Vict. c. 14., Savings Banks Act, 1863.

55. REVENUE [U.K.]
Repeals in part, and amends, 39 & 40 Vict. c. 36., Customs Consolidation Act, 1876.
Amends 33 & 34 Vict. c. 97., Stamp Act, 1870.
,, 36 & 37 Vict. c. 57., Consolidated Fund (Permanent Charges Redemption) Act, 1873.
Extends, &c. 43 & 44 Vict. c. 19., Taxes Management Act, 1880.
,, 45 & 46 Vict. c. 61., Bills of Exchange Act, 1882.
,, 24 & 25 Vict. c. 98., Indictable Offences by Forgery.
Applies Charitable Trusts Acts, 1853 to 1869.
,, 46 & 47 Vict. c. 1., Consolidated Fund (Permanent Charges Redemption) Act, 1883.
Construes Act with 39 & 40 Vict. c. 36., Customs Consolidation Act, 1876.

Table A.—Acts of 46 & 47 Vict. (in order of Chapter), &c.—*continued.*

Ch.

56. Education (Scotland) [S.]
Amends 35 & 36 Vict. c. 62., } Education (Scotland) Acts, 1872 and 1878.
,, 41 & 42 Vict. c. 78., }

57. Patents, Designs, and Trade Marks [U.K.]
Amends and consolidates the Law relating to Patents, &c.
Repeals (as in Third Schedule) the following enactments:—
21 Jas. I. c. 3. in part, Statute of Monopolies.
5 & 6 Will. 4. c. 62. s. 11., Statutory Declarations Act, 1835.
5 & 6 Will. 4. c. 83., Letters Patent for Inventions.
2 & 3 Vict. c. 67., Letters Patent for Inventions.
5 & 6 Vict. c. 100., Copyright of Designs.
6 & 7 Vict. c. 65., Copyright of Designs.
7 & 8 Vict. c. 69. in part*, Judicial Committee: Patents.
13 & 14 Vict. c. 104., Copyright of Designs.
15 & 16 Vict. c. 83., Patent Law Amendment Act, 1852.
16 & 17 Vict. c. 5., Letters Patent for Inventions.
16 & 17 Vict. c. 115., Patent Law Amendment Act, 1852, Amendment.
21 & 22 Vict. c. 70., Copyright of Designs.
22 Vict. c. 13., Patents for Inventions.
24 & 25 Vict. c. 73., Copyright of Designs.
28 & 29 Vict. c. 3., Industrial Exhibitions Act, 1865.
33 & 34 Vict. c. 27., Protection of Inventions Act, 1870.
33 & 34 Vict. c. 97. in part, Stamp Act, 1870.
38 & 39 Vict. c. 91., Trade Marks Registration Act, 1875.
38 & 39 Vict. c. 93., Copyright of Designs Act, 1875.
39 & 40 Vict. c. 33., Trade Marks Registration Amendment Act, 1876.
40 & 41 Vict. c. 37., Trade Marks Registration Extension Act, 1877.
43 & 44 c. 10. s. 5., Great Seal Act, 1880.
45 & 46 Vict. c. 72. s. 16., Revenue, Friendly Societies, and National Debt Act, 1822.
Applies Cutlers' Company's Acts as to Sheffield Marks.

58. Post Office (Money Orders) [U.K. &c.]
Amends 11 & 12 Vict. c. 88., } Post Office (Money Orders) Acts, 1848 and
,, and extends 43 & 44 Vict. c. 33., } 1880.

59. Epidemic and other Diseases Prevention [E. & I.]
Amends 38 & 39 Vict. c. 55., Public Health Act (England), 1875.
,, 41 & 42 Vict. c. 52 , Public Health Act (Ireland), 1878.

60. Labourers (Ireland) [I.]
Construes Act with, and incorporates part of, 41 & 42 Vict. c. 52., Public Health (Ireland) Act, 1878.
Incorporates Lands Clauses Acts.
Extends 38 & 39 Vict. c. 36., Artizans, &c. Dwellings Act, 1875.
Applies 45 & 46 Vict. c. 60., Labourers Cottages, &c. (Ireland) Act, 1882.
,, 23 & 24 Vict. c. 154., Landlord and Tenant, &c. Act (Ireland), 1860.

61. Agricultural Holdings (England) [E.]
Repeals section 1 of 2 Will. & Mar. c. 5., Distress.
,, 38 & 39 Vict. c. 92., } Agricultural Holdings (England) Acts, 1875 and 1876.
,, 39 & 40 Vict. c. 74., }
Applies 29 & 30 Vict. c. 62., Crown Lands Act, 1866.
,, 57 Geo. 3. c. 97., Duchy of Lancaster.
,, 26 & 27 Vict. c. 49., Duchy of Cornwall Management Act, 1863.

62. Agricultural Holdings (Scotland) [S.]
Repeals sections 2 and 3 of 43 Vict. c. 12., Hypothec Abolition (Scotland) Act, 1880.
Applies 16 & 17 Vict. c. 80., Sheriff Courts (Scotland) Act, 1853.
,, 29 & 30 Vict. c. 62., Crown Lands Act, 1866.

* Sections 6 and 7 of this Act are repealed by the Statute Law Revision (No. 2) Act, 1874.

(B.)

Acts of former Sessions (in Chronological Order) Repealed and Amended by Acts of 46 & 47 Vict.

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 46 & 47 Vict.
13 Edw. 1. c. 18. in part -	Execution by levying of lands, &c.	Repealed*	52
21 Jas. 1. c. 3. in part -	Statute of Monopolies - -	Repealed -	57
2 Will. & Mar. c. 5. s. 1. -	Distress - - - -	Repealed -	61
39 & 40 Geo. 3. c. 94. s. 1. -	Criminal Lunatics - -	Repealed -	38
50 Geo. 3. c. 108. (that part remaining unrepealed).†	British Fisheries - -	Repealed -	41
60 Geo. 3. & 1 Geo. 4. c. 11. s. 36.	Elections (Ireland) - -	Repealed -	51
1 & 2 Geo. 4. c. 33. s. 16. -	Lunatics (Ireland) - -	Repealed -	38
,, c. 58. (except s. 3.)	Elections (Ireland) - -	Repealed -	51
4 Geo. 4. c. 55. s. 82. - -	Elections (Ireland) - -	Repealed -	51
2 & 3 Will. 4. c. 87. - -	Registry of Deeds, &c. (Ireland)	Amended -	26
5 & 6 Will. 4. c. 62. s. 11. -	Statutory Declarations Act, 1835	Repealed -	57
,, c. 83. - -	Letters Patent for Inventions -	Repealed -	57
2 & 3 Vict. c. 67. - -	Letters Patent for Inventions -	Repealed -	57
3 & 4 Vict. c. 54. s. 3. -	Criminal Lunatics - -	Repealed -	38
5 & 6 Vict. c. 55. s. 20. -	Regulation of Railways and Conveyance of Troops.	Repealed‡-	34
,, c. 79. ss. 4 and 7.	Duties on Stage Carriages, &c. -	Amended -	34
,, c. 100. - -	Copyright of Designs - -	Repealed -	57
6 & 7 Vict. c. 65. - -	Copyright of Designs - -	Repealed -	57
,, c. 79. in part -	Fisheries Act, 1843 - -	Repealed -	22
7 & 8 Vict. c. 69. in part§ -	Judicial Committee: Patents -	Repealed -	57
,, c. 85. in part -	Construction of Railways -	Repealed‡-	34
8 & 9 Vict. c. 18. - -	Lands Clauses Consolidation Act, 1845.	Amended -	15
10 & 11 Vict. c. 27. - -	Harbours, &c. Act, 1847 -	Amended -	9
,, c. 100. - -	Constabulary and Police (Ireland)	Amended -	14
11 & 12 Vict. c. 88. - -	Post Office (Money Orders) Act, 1848.	Amended -	58
13 & 14 Vict. c. 104. - -	Copyright of Designs - -	Repealed -	57
15 & 16 Vict. c. 57. - -	Election Commissioners Act, 1852	Amended -	51
,, c. 83. - -	Patent Law Amendment Act, 1852	Repealed -	57
16 & 17 Vict. c. 5. - -	Letters Patent for Inventions -	Repealed -	57
,, c. 69. s. 18. -	Service in the Navy - -	Repealed‡-	34
,, c. 115. - -	Patent Law Amendment -	Repealed -	57
17 & 18 Vict. c. 71. - -	Borough Rates Act, 1854 -	Repealed -	18
,, c. 102. in part -	Corrupt Practices - -	Repealed -	51
,, c. 104. in part†	Merchant Shipping Act, 1854 -	Repealed -	41
21 & 22 Vict. c. 70. - -	Copyright of Designs - -	Repealed -	57
,, c. 75. ss. 1 and 2.	Cheap Trains - - -	Repealed‡-	34
,, c. 87. - -	Corrupt Practices - -	Repealed -	51
,, c. 90. - -	Medical Act (1858) - -	Amended -	19
22 Vict. c. 13. - -	Patents for Inventions - -	Repealed -	57
23 & 24 Vict. c. 152. - -	Tramways (Ireland) - -	Amended -	43
24 & 25 Vict. c. 73. - -	Copyright of Designs - -	Repealed -	57
25 & 26 Vict. c. 63. s. 13. (1)†	Merchant Shipping Acts Amendment.	Repealed -	41

* As to England.
† Except so far as relates to Scotland.
‡ Except so far as relates to Ireland, &c.
§ Sections 6 and 7 of this Act are repealed by the Statute Law Revision (No. 2) Act, 1874.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 46 & 47 Vict.
25 & 26 Vict. c. 89. - -	Companies Act, 1862 - -	Amended -	28
26 & 27 Vict. c. 29. (except s. 6.)	Corrupt Practices - -	Repealed -	51
,, c. 33. s. 14. -	Inland Revenue - - -	Repealed*-	34
28 & 29 Vict. c. 3. - -	Industrial Exhibitions Act, 1865	Repealed -	57
30 & 31 Vict. c. 102. in part -	Representation of the People Act, 1867.	Repealed -	51
,, c. 131. - -	Companies Act, 1867 - -	Amended -	28
31 & 32 Vict. c. 45. - -	Sea Fisheries Act, 1868 - -	Amended -	22
,, c. 48. s. 25. -	Representation of the People (Scotland) Act, 1868.	Repealed -	51
,, c. 49. s. 12. -	Representation of the People (Ireland) Act, 1868.	Repealed -	51
,, c. 58. s. 18. in part.	Parliamentary Electors Registration Act, 1868.	Repealed -	51
,, c. 125. in part -	Parliamentary Elections Act, 1868.	Repealed -	51
32 & 33 Vict. c. 62. in part -	Debtors Act, 1869 - -	Repealed†-	52
,, c. 71. - -	Bankruptcy Act, 1869 - -	Repealed†-	52
,, c. 83. in part -	Bankruptcy Repeal and Insolvent Court Act, 1869.	Repealed†-	52
,, c. 102. - -	Metropolitan Board of Works (Loans).	Amended -	27
33 & 34 Vict. c. 27. - -	Protection of Inventions Act, 1870.	Repealed -	57
,, c. 76. - -	Absconding Debtors Act, 1870 -	Repealed†-	52
,, c. 97. - -	Stamp Act, 1870 - - -	Amended -	55 and 57
,, c. 112. - -	Glebe Loan (Ireland) Act, 1870 -	Amended -	8
34 & 35 Vict. c. 50. in part -	Bankruptcy Disqualification Act, 1871.	Repealed†-	52
,, c. 76. - -	Summary Jurisdiction (Ireland)	Amended -	14
,, c. 100. - -	Glebe Loan (Ireland) Act, 1871 -	Amended -	8
35 & 36 Vict. c. 33. in part -	Ballot Act, 1872 - - -	Repealed -	51
,, c. 44. - -	Chancery Funds Act, 1872 -	Amended -	29
,, c. 62. - -	Education (Scotland) - -	Amended -	56
36 & 37 Vict c. 57. - -	Consolidated Fund, &c. Act, 1873	Amended -	1 and 55
,, c. 85. s. 8.‡ -	Merchant Shipping Acts Amendment.	Repealed -	41
37 & 38 Vict. c. 80. - -	Constabulary (Ireland) - -	Amended -	14
,, c. 86. - -	Irish Reproductive Loan Fund Act, 1874.	Amended -	33
38 Vict. c. 15. s. 3. - -	Sea Fisheries Act, 1875 - -	Repealed§	22
38 & 39 Vict. c. 30. - -	Glebe Loan (Ireland) Act, 1875 -	Amended -	8
,, c. 45. - -	Sinking Fund Act, 1875 -	Amended -	54
,, c. 55. - - -	Public Health Act, 1875 -	Amended -	37 and 59
,, c. 77. in part -	Supreme Court of Judicature Act, 1875.	Repealed†	52
,, c. 91. - -	Trade Marks Registration -	Repealed -	57
,, c. 92. - -	Agricultural Holdings (England) Act, 1875.	Repealed -	61
,, c. 93. - -	Copyright of Designs - -	Repealed -	57
39 & 40 Vict. c. 33. - -	Trade Marks Registration -	Repealed -	57
,, c. 36. - -	Customs Consolidation Act, 1876	Amended -	10 and 55

* Except so far as relates to Ireland, &c.
† As to England.
‡ Except so far as relates to Scotland.
§ Provisionally.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 46 & 47 Vict.
39 & 40 Vict. c. 74. - -	Agricultural Holdings (England) Act, 1876.	Repealed -	61
40 & 41 Vict. c. 27. - -	Public Works Loans (Ireland) -	Amended -	42
,, c. 37. - -	Trade Marks Registration -	Repealed -	57
,, c. 42. s. 15. -	Fisheries Act, 1877 - -	Repealed -	22
,, c. 49. s. 32. -	General Prisons (Ireland) Act, 1877.	Amended -	25
41 & 42 Vict. c. 6. - -	Glebe Loan (Ireland) Act, 1878 -	Amended -	8
,, c. 16. - -	Factory, &c. Act, 1878 - -	Amended -	53
,, c. 52. - -	Public Health (Ireland) - -	Amended -	59
,, c. 78. - -	Education (Scotland) - -	Amended -	56
42 & 43 Vict. c. 50. - -	Bills of Sale (Ireland) Act, 1879	Amended -	7
,, c. 75. in part. -	Parliamentary Elections and Corrupt Practices.	Repealed -	51
43 Vict. c. 12. ss. 2. and 3. -	Hypothec Abolition (Scotland) Act, 1880.	Repealed -	62
,, c. 18. (except ss. 1. and 3.)	Parliamentary Elections and Corrupt Practices.	Repealed -	51
43 & 44 Vict. c. 2. - -	Glebe Loan (Ireland) Act, 1880 -	Amended -	8
,, c. 10. s. 5. -	Great Seal Act, 1880 - -	Repealed -	57
,, c. 16. in part*	Merchant Seamen (Payment of Wages, &c.)	Repealed -	41
,, c. 33. - -	Post Office (Money Orders) Act, 1880.	Amended -	58
44 & 45 Vict. c. 49. - -	Land Law (Ireland) Act, 1881 -	Amended -	43
,, c. 58. - -	Army Act, 1881 - - -	Amended -	6
45 & 46 Vict. c. 25. - -	Prevention of Crime (Ireland) Act, 1882.	Amended -	12
,, c. 33. - -	Metropolitan Board of Works (Money).	Amended -	27
,, c. 47. - -	Arrears of Rent (Ireland) Act, 1882.	Amended -	42 and 43
,, c. 50. - -	Municipal Corporations Act, 1882.	Amended -	18
,, c. 72. s. 16. -	Revenue, Friendly Societies, and National Debt Act, 1882.	Repealed -	57

* Except so far as relates to Scotland.

Repeals effected by the Statute Law Revision Act, 46 & 47 Vict. c. 39.

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
32 & 33 Vict. c. 1.	Consolidated Fund.
c. 4.	Mutiny.
c. 5.	Marine Mutiny.
c. 6.	Regulation of Railways.
c. 8.	Consolidated Fund.
c. 10. ss. 3., 8.	Removal of Prisoners from one Colony to another for Punishment.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
32 & 33 Vict.—*cont.*	
c. 11. s. 5.	Coasting Trade and Merchant Shipping (British Possessions).
c. 14. in pt.	Duties of Customs and Inland Revenue.
c. 15. s. 2. in pt.	Qualification of Persons holding Civil Service Pensions, &c. to sit in Parliament.
c. 16.	Norfolk Island (Diocese of Tasmania).
c. 18. s. 2.	Lands Clauses Consolidation Act Amendment.
c. 19. s. 39. in pt.	Mining Partnerships within Stannaries of Devon and Cornwall, &c.
c. 20.	Validity of certain Statutes of University of Oxford.
c. 22.	Exchequer Bonds.
c. 24. s. 1. in. pt.	Newspapers, Pamphlets, &c., and Printers, Typefounders, and Reading Rooms.
c. 27. in pt.	Beerhouses, &c.
c. 29.	Title Deeds for Inam Lands.
c. 33. s. 6.	Collection of Judicial Statistics (Scotland).
c. 34. s. 1.	Appointment of Deputies by Stipendiary Magistrates.
c. 37.	District Prothonotaries of Court of Common Pleas of Lancaster, &c.
c. 39.	Hospitals, &c. (Scotland).
c. 41. s. 16. in pt.	Rating of Occupiers, and Poor's Rate.
c. 43. s. 4. in pt.	Payment of Diplomatic Salaries, Allowances, and Pensions.
c. 44 in pt.	Greenwich Hospital, and Application of its Revenues.
c. 45. s. 6. in pt.	Repayment of Loans to Poor Law Unions.
c. 47. s. 6.	High Constables.
c. 53. in pt.	Cinque Ports Act Amendment.
c. 54. in pt.	Relief of the destitute Poor (Ireland).
c. 58. in pt.	Public Schools.
c. 59. in pt.	Investments for Saving Banks and Post Office Savings Banks.
c. 62. s. 7.	Abolition of Imprisonment for Debt, &c.
c. 63. in pt.	Metropolitan Poor.
c. 65.	Corrupt Practices amongst Freemen Electors of City of Dublin.
c. 67. in pt.	Uniformity in Assessment of Rateable Property in the Metropolis.
c. 68. s. 1.	Law of Evidence.
c. 71. in pt.	Bankruptcy Law Consolidation.
c. 78. s. 2. in. pt.	Criminal Lunatics.
c. 82. in pt.	Metropolitan Building Act, 1855, Amendment.
c. 83. in pt.	Insolvent Debtors Court, &c.
c. 85.	Expiring Laws Continuance.
c. 90. in pt.	Turnpike Acts Continuance.
c. 91. in pt.	Salaries, Expenses, and Funds of Courts of Law (England).
c. 92. in pt.	Fisheries (Ireland).
c. 93.	Consolidated Fund.
c. 96. in pt.	Contagious Diseases.
c. 97. in pt.	Better Government of India.
c. 98. s. 2.	Government of India.
c. 100. in pt.	Borrowing Money for purposes of Sanitary Act, 1866.
c. 102. in pt.	Borrowing of Money by Metropolitan Board of Works.
c. 103. in pt.	Warehousing of Wines and Spirits, &c.
c. 108.	Sanitary Act, 1866, so far as relates to Ireland.
c. 109. s. 1.	Presentations of Benefices, &c.
c. 110. in pt.	Charitable Trusts Acts Amendment.
c. 111. in pt.	Relief of Archbishops and Bishops when incapacitated by infirmity.
c. 112. s. 6. in pt.	Adulteration of Seeds.
c. 114. s. 10.	Abandonment of Railways and Dissolution of Railway Companies.
c. 116. in pt.	Titles to Land Consolidation (Scotland) Act, 1868, Amendment.
c. 117. in pt.	Pharmacy Act, 1868, Amendment.
33 & 34 Vict. c. 3. s. 4.	Laws and Regulations for certain parts of India.
c. 5.	Consolidated Fund.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
33 & 34 Vict.—*cont.*	
c. 7.	Mutiny.
c. 8.	Marine Mutiny.
c. 9.	Peace Preservation (Ireland) Act, 1856, Amendment.
c. 13. in pt.	Surveys of Great Britain, Ireland, and the Isle of Man.
c. 14. in pt.	Legal Condition of Aliens and British Subjects.
c. 15. in pt.	Buildings and Property of County Courts (England).
c. 16. in pt.	Boundary between Counties of Inverness and Elgin or Moray.
c. 19. in pt.	Railway Companies Powers and Railway Construction Facilities.
c. 20. s. 3.	Mortgage Debenture Act, 1865, Amendment.
c. 23. s. 31.	Abolishing Forfeitures for Treason and Felony.
c. 24. s. 2.	Borrowing of Money by Metropolitan Board of Works.
c. 27. s. 4. in pt.	Protection of Inventions exhibited at International Exhibitions in United Kingdom.
c. 29. in pt.	Wine and Beerhouse Act, 1869, Amendment.
c. 31.	Consolidated Fund.
c. 32. in pt.	Duties of Customs and Inland Revenue.
c. 41.	Exchequer Bonds.
c. 44.	Stamp Duty on certain Leases.
c. 45.	Liverpool Admiralty District Registrar.
c. 46. in pt.	Occupation and Ownership of Land (Ireland).
c. 50.	Shipping Dues Exemption.
c. 51.	Notices for holding of Vestries, &c (Isle of Man).
c. 52. s. 27. in pt.	Extradition of Criminals.
c. 53. ss. 3., 4.	Sanitary and Sewage Utilization Acts Amendment.
c. 59. s. 1.	Contracts informally executed in India.
c. 60. ss. 3., 4.	Brokers of City of London.
c. 61. in pt.	Life Assurance Companies.
c. 65. s. 4.	Advertisements respecting Stolen Goods.
c. 71. in pt.	National Debt.
c. 73. in pt.	Turnpike Acts Continuance.
c. 77. s. 7. in pt.	Qualifications, &c. of Special and Common Juries.
c. 79. in pt.	Regulation of Duties of Postage, &c.
c. 80.	Census (Ireland).
c. 83. in pt.	Londonderry Police Force and Royal Irish Constabulary Force.
c. 84.	Public Schools.
c. 86. in pt.	Sheriffs and Sheriffs Substitute (Scotland).
c. 90. s. 31.	Foreign Enlistment.
c. 96. in pt.	Consolidated Fund.
c. 97. in pt.	Stamp Duties.
c. 98. in pt.	Management of Stamp Duties.
c. 103.	Expiring Laws Continuance.
c. 105.	Truck Commission.
c. 107.	Census (England).
c. 108.	Census (Scotland).
c. 109. s. 4. in pt.	Common Law Procedure Amendment (Ireland).
c. 110. in pt.	Matrimonial Causes and Marriage Law (Ireland) Amendment.
c. 111. s. 1. in pt.	Beerhouses.
c. 112. in pt.	Glebe Loans (Ireland).
34 & 35 Vict. c. 3. s. 1.	Committees on Provisional Order Bills.
c. 5.	Assessment of Income Tax.
c. 6.	Consolidated Fund.
c. 7.	Consolidated Fund.
c. 9.	Mutiny.
c. 10.	Marine Mutiny.
c. 18. s. 1. in pt.	County Justices Qualification Amendment.
c. 20.	Consolidated Fund.
c. 21.	Duties of Customs and Income Tax.
c. 22. in pt.	Lunacy Regulation (Ireland).

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
34 & 35 Vict.—*cont.*	
c. 25.	Protection of Life and Property in parts of Ireland.
c. 26. in pt.	University Tests.
c. 29. in pt.	Payment of Dividends on India Stocks.
c. 30. in pt.	Further Regulation of the Duties on Postage.
c. 31. s. 24.	Trades Unions.
c. 33. s. 1. in pt.	Burial Law Amendment.
c. 35. in pt.	Buildings and Property of Police Courts of Metropolis.
c. 36. in pt.	Pensions Commutation.
c. 37. s. 2. in pt.	Tables of Lessons and Psalter in Prayer Book.
c. 38. s. 1. in pt.	Public Health (Scotland).
c. 46.	Appointment of Gaoler, Chaplain, and Matron of Bath City Prison.
c. 47. in pt.	Borrowing of Money by Metropolitan Board of Works.
c. 48. in pt.	Oaths and Declarations.
c. 49. ss. 4, 17.	Matrimonial Causes and Marriage Law (Ireland) Amendment.
c. 51.	Consolidated Fund.
c. 52.	Exchequer Bonds.
c. 58. s. 1.	Life Assurance Companies Act, 1870, Amendment.
c. 59. s. 1.	Public Libraries (Scotland).
c. 60. in pt.	Public Schools.
c. 62. in pt.	East India (Bishops Leave of Absence).
c. 65. in pt.	Juries (Ireland).
c. 68. ss. 2–4.	Glasgow Boundary.
c. 69.	Suspension of certain provisions of Tramways Act, 1870, as to certain Provisional Orders.
c. 72. in pt.	Protection of Purchasers against Crown Debts, and Office of Registrar of Judgments, &c. of Court of Chancery, Ireland.
c. 73. in pt.	Clerk of the Peace for County Palatine of Lancaster.
c. 76. in pt.	Recovery of Small Debts, and Summary Jurisdiction (Ireland).
c. 78. in pt.	Inspection and Regulation of Railways.
c. 81.	Reductions ex capite lecti (Scotland) Abolition.
c. 82.	Church Building Acts Amendment Act, 1871.
c. 83. s. 2.	House of Commons (Oaths to Witnesses).
c. 84. s. 2.	Limited Owners Residences Act, 1870.
c. 86. s. 2.	Army Regulation.
c. 89.	Consolidated Fund.
c. 91. in pt.	Despatch of Business by Judicial Committee of Privy Council.
c. 94.	Elementary Education Act, 1870, Amendment.
c. 95.	Expiring Laws Continuance.
c. 96. in pt.	Pedlars' Certificates.
c. 97.	Military Manœuvres.
c. 98. in pt.	Vaccination Act, 1867, Amendment.
c. 99. s. 8.	Civil Bill Courts Procedure (Ireland).
c. 100. s. 14.	Glebe Loan (Ireland) Act, 1870, Amendment.
c. 101. in pt.	Chain Cables and Anchors.
c. 102. in pt.	Charitable Donations and Bequests (Ireland).
c. 103. in pt.	Customs and Inland Revenue.
c. 105. in pt.	Petroleum, &c.
c. 109. s. 26.	Local Government (Ireland).
c. 110. s. 12.	Merchant Shipping Acts Amendment.
c. 111. in pt.	Beerhouses (Ireland).
c. 112. s. 21.	Prevention of Crime.
c. 113. in pt.	Metropolis Water.
c. 115. in pt.	Turnpike Acts Continuance.
35 & 36 Vict. c. 1. - -	Consolidated Fund.
c. 2. s. 3.	Poor Law Loans.
c. 3.	Mutiny.
c. 4.	Marine Mutiny.
c. 5. s. 7.	Bank of Ireland Charter Amendment.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
35 & 36 Vict.—*cont.*	
c. 9. s. 3.	Sale of Incumbered Estates (West Indies).
c. 11.	Consolidated Fund.
c. 14. s. 1.	Alteration of Boundaries of Dioceses.
c. 20. in pt.	Duties of Customs and Inland Revenue.
c. 22.	Party Processions (Ireland).
c. 23. in pt.	Harbours and Coasts of Isle of Man.
c. 25. in pt.	Juries Act (Ireland) 1871, Amendment.
c. 30. s. 1. in pt.	Chain Cables and Anchors Act, 1871, Suspension.
c. 37.	Consolidated Fund.
c. 40.	Bishops Resignation Act, 1869, Continuance.
c. 43.	Suspension of certain provisions of Tramways Act, 1870, as to certain Provisional Orders.
c. 44. in pt.	Abolition of Office of Accountant General of High Court of Chancery, &c.
c. 47. s. 2.	Galashiels Jurisdiction Act Amendment.
c. 54.	Public Schools.
c. 55. s. 8.	Basses Lights (Ceylon).
c. 57. in pt.	Abolition of Imprisonment for Debt (Ireland).
c. 58. in pt.	Bankruptcy Law Amendment (Ireland).
c. 59.	Elementary Education Act, 1870, Amendment.
c. 60. in pt.	Corrupt Practices at Municipal Elections.
c. 62. in pt.	Education (Scotland).
c. 64.	Military Manœuvres.
c. 65. in pt.	Bastardy Laws Amendment.
c. 69. in pt.	Local Government Board (Ireland).
c. 70. s. 2. in pt.	Fees of Law Officers of the Crown (England).
c. 73. in pt.	Merchant Shipping Acts and Passenger Acts Amendment.
c. 76. in pt.	Coal, &c. Mines Regulation.
c. 77. in pt.	Metalliferous Mines Regulation.
c. 79. in pt.	Public Health.
c. 80.	Kensington Station and North and South London Junction Railway.
c. 83.	Pensions Commutation Act, 1871, Extension.
c. 85. in pt.	Turnpike Acts Continuance.
c. 87.	Consolidated Fund.
c. 88.	Expiring Laws Continuance.
c. 91. s. 9.	Municipal Corporations (Borough Funds).
c. 92. in pt.	Parish Constables.
c. 93. in pt.	Pawnbrokers (Great Britain).
c. 94. in pt.	Sale of Intoxicating Liquors.
36 & 37 Vict. c. 2. in pt.	Polling Districts (Ireland).
c. 3.	Consolidated Fund.
c. 7.	Endowed Schools (Time of Address).
c. 8.	Income Tax Assessment.
c. 9. in pt.	Bastardy Laws Amendment.
c. 10.	Mutiny.
c. 11.	Marine Mutiny.
c. 12. s. 3.	Custody of Infants.
c. 13.	Special Commissioners of Salmon Fisheries (England).
c. 14. in pt.	Portpatrick Harbour.
c. 17. in pt.	East India Stock Dividend Redemption, and Dissolution of East India Company.
c. 18. in pt.	Duties of Customs and Inland Revenue.
c. 19. s. 10.	Poor Allotments Management.
c. 21. in pt.	Abolition of Tests in Trinity College and University of Dublin.
c. 23.	Superannuation Act Amendment.
c. 24.	Peace Preservation (Ireland) Acts Continuance.
c. 26.	Consolidated Fund.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
36 & 37 Vict.—*cont.*	
c. 27.	Juries (Ireland).
c. 30. in pt.	Registration of Voters (Ireland).
c. 32. s. 1. in pt.	East India Loan.
c. 37. s. 5.	Fairs (England and Wales).
c. 38. s. 5.	Vagrant Law Amendment.
c. 41. in pt.	Public Schools (Shrewsbury and Harrow Schools Property).
c. 42. s. 2.	Tithe Commutation Acts Amendment (as to Market Gardens).
c. 45. s. 9.	Canada (Public Works) Loan.
c. 47.	Blackwater Bridge (Composition of Debt).
c. 48. s. 33.	Regulation of Railways.
c. 51. in pt.	Superannuation of Prison Officers (Ireland).
c. 53. in pt.	Highland Schools.
c. 54.	Exchequer Bonds.
c. 58.	Military Manœuvres.
c. 59. in pt.	Slave Trade (East African Courts).
c. 62. in pt.	Public Schools (Eton College Property).
c. 63. in pt.	Law Agents (Scotland).
c. 66. in pt.	Supreme Court of Judicature.
c. 70. in pt.	Revising Barristers.
c. 71. in pt.	Salmon Fisheries (England and Wales).
c. 73.	Public Health Act, 1872, Amendment (Cambridge Commissioners).
c. 74.	Pay of the Royal Irish Constabulary.
c. 75.	Expiring Laws Continuance.
c. 79.	Consolidated Fund.
c. 81. s. 6.	Langbaurgh Coroners.
c. 85. s. 33.	Merchant Shipping Acts Amendment.
c. 86. in pt.	Elementary Education Act (1870) Amendment.
c. 87. in pt.	Endowed Schools.
c. 88. in pt.	Slave Trade.
c. 89. in pt.	Gas and Water Works Facilities Act, 1870, Amendment.
c. 90. in pt.	Turnpike Acts Continuance.
37 & 38 Vict. c. 1.	Consolidated Fund.
c. 2.	Consolidated Fund.
c. 3. in pt.	East India Loan.
c. 4.	Mutiny.
c. 5.	Marine Mutiny.
c. 7. in pt.	Middlesex Sessions.
c. 9.	Public Works Loans (School Boards).
c. 10.	Consolidated Fund.
c. 13.	Bishop of Calcutta (Leave of Absence).
c. 15. s. 4. in pt.	Suppression of Betting Houses.
c. 16.	Duties of Customs and Inland Revenue.
c. 21. in pt.	Four Courts Marshalsea (Dublin) Discontinuance.
c. 22.	Revenue Officers Electoral Disabilities.
c. 23. in pt.	Resident Magistrates (Ireland) and Commissioners of Dublin Police Salaries.
c. 24. s. 6.	Harbour of Colombo (Loan).
c. 25. s. 1. in pt.	Herring Fishery Barrels.
c. 28.	Juries (Ireland).
c. 34. s. 2.	Apothecaries Act Amendment.
c. 40. s. 5.	Board of Trade Arbitrations, &c.
c. 42. in pt.	Building Societies.
c. 45. in pt.	County of Hertford and Liberty of St. Alban.
c. 46. in pt.	Customs (Isle of Man) Tariff.
c. 49. in pt.	Sale and Consumption of Intoxicating Liquors.
c. 51. in pt.	Proving and Sale of Chain Cables and Anchors.
c. 53. in pt.	Payment of Revising Barristers.
c. 54. s. 14.	Rating.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
37 & 38 Vict.—*cont.*	
c. 56.	Consolidated Fund.
c. 57. s. 9. in pt.	Real Property Limitation.
c. 58.	Police Expenses.
c. 60.	Navigation of River Shannon.
c. 61. ss. 3 to 5.	Royal (late Indian) Ordnance Corps Compensation.
c. 64. s. 1.	Evidence Further Amendment (Scotland).
c. 67. ss. 11, 14.	Slaughterhouses, &c. (Metropolis).
c. 69. in pt.	Sale and Consumption of Intoxicating Liquors (Ireland).
c. 70. s. 4.	Valuation of Rateable Property (Ireland).
c. 72. s. 3.	Fines Act (Ireland), 1851, Amendment.
c. 73. s. 3. in pt.	Post Office Savings Bank.
c. 74. in pt.	Private Lunatic Asylums (Ireland).
c. 76.	Expiring Laws Continuance.
c. 77. in pt.	Colonial and certain other Clergy.
c. 80. in pt.	Royal Irish Constabulary.
c. 81. in pt.	Great Seal Offices, and Clerk of the Crown in Chancery.
c. 82. in pt.	Appointment of Ministers to Parishes in Scotland.
c. 83. s. 1.	Supreme Court of Judicature Act, 1873, Suspension.
c. 86. ss. 6, 8.	Irish Reproductive Loan Fund.
c. 87. in pt.	Endowed Schools Acts Amendment.
c. 88. in pt.	Registration of Births and Deaths.
c. 89. in pt.	Sanitary Laws Amendment.
c. 92. s. 4.	Alderney Harbour Transfer.
c. 94. in pt.	Land Rights and Conveyancing (Scotland).
c. 95. in pt.	Turnpike Acts Continuance.
38 & 39 Vict. c. 1.	Consolidated Fund.
c. 2.	Consolidated Fund.
c. 3. in pt.	Metropolitan Police Magistrates' Salaries.
c. 5. s. 1. in pt.	Registry of Deeds Office (Ireland).
c. 7.	Mutiny.
c. 8.	Marine Mutiny.
c. 9. s. 1.	Building Societies.
c. 10.	Consolidated Fund.
c. 13. s. 3. in pt.	Bank Holidays Act, 1871, Extension.
c. 14.	Peace Preservation (Ireland).
c. 15. s. 1. in pt.	Sea Fisheries.
c. 17. in pt.	Explosive Substances.
c. 19.	Making perpetual the Bishops Resignation Act, 1869.
c. 21. s. 2. in pt.	Public Entertainments (London and Westminster).
c. 23. in pt.	Duties of Customs and Inland Revenue.
c. 25. in pt.	Protection of Public Stores.
c. 26. s. 2.	Bankruptcy Law Amendment (Scotland).
c. 28. s. 4.	Metropolitan Police Staff Superannuation.
c. 30.	Glebe Loans (Ireland).
c. 31.	Railway Companies.
c. 34. s. 7. in pt.	Bishopric of Saint Albans.
c. 35. s. 3. in pt.	Turnpike Roads (South Wales).
c. 37.	Juries (Ireland).
c. 39. s. 4.	Metalliferous Mines Regulation.
c. 40. in pt.	Municipal Elections.
c. 44.	Royal Irish Constabulary.
c. 45. s. 6.	National Debt (Sinking Fund).
c. 50. in pt.	County Courts.
c. 51. s. 11.	Pacific Islanders Protection.
c. 55. in pt.	Public Health (England).
c. 57. in pt.	Pharmacy (Ireland).
c. 58. ss. 2., 3.	Public Works Loans (Money).
c. 60. in pt.	Friendly and other Societies.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
38 & 39 Vict.—*cont.*	
c. 61. in pt.	Entail (Scotland).
c. 63. s. 1.	Sale of Food and Drugs.
c. 64. s. 1.	Government Officers' Security.
c. 65. in pt.	Metropolitan Board of Works (Money).
c. 67. s. 15.	Private and District Lunatic Asylums (Ireland).
c. 72.	Expiring Laws Continuance.
c. 73.	East India Home Government (Appointments).
c. 74. s. 3. in pt.	Public Health (Scotland) (Loans for Sanitary Purposes).
c. 76. s. 6.	Ecclesiastical Fees.
c. 77. in pt.	Supreme Court of Judicature Act, 1873, Amendment.
c. 78.	Consolidated Fund.
c. 79. in pt.	Legal Practitioners.
c. 83. s. 35.	Securities for Loans contracted by Local Authorities.
c. 86. s. 17. in pt.	Conspiracy, and Protection of Property.
c. 87. ss. 113., 129.	Land Titles and Transfer.
c. 89. in pt.	Loans for Public Works.
c. 94. s. 2.	Offences against the Person.
c. 96. s. 7. in pt.	Payments to Teachers of National Schools (Ireland).
39 & 40 Vict. c. 2.	Consolidated Fund.
c. 4.	Consolidated Fund.
c. 8.	Mutiny.
c. 9.	Marine Mutiny.
c. 15.	Consolidated Fund.
c. 16. in pt.	Duties of Customs and Inland Revenue.
c. 18. in pt.	Treasury Solicitor, &c.
c. 20. in pt.	Statute Law Revision.
c. 22. s. 16. in pt.	Trade Union Act, 1871.
c. 28. s. 7. in pt.	Admiralty Jurisdiction (Ireland).
c. 31. ss. 3., 8.	Public Works Loans.
c. 33. s. 1. in pt.	Trade Marks Registration.
c. 34. s. 1.	Elver Fishing.
c. 35. in pt.	Customs Duties Consolidation.
c. 36. in pt.	Customs Laws Consolidation.
c. 37. s. 4.	Quieting Possessions and Titles against the Crown.
c. 38. s. 1.	Orphan and deserted pauper Children (Ireland).
c. 39. in pt.	Turnpike Acts Continuance.
c. 40. in pt.	Medical Practitioners.
c. 42. s. 3.	Convict Prisons.
c. 44. in pt.	Legal Practitioners (Ireland).
c. 45. in pt.	Industrial and Provident Societies.
c. 50. s. 3. in pt.	Relief of the Poor (Ireland).
c. 52. s. 3. in pt.	Savings Banks Rules.
c. 53. s. 6.	Civil Servants' Superannuation.
c. 54. s. 5. in pt.	Exeter Diocese.
c. 55. in pt.	Metropolitan Board of Works (Money).
c. 56. s. 34. in pt.	Commons Regulation, &c.
c. 59. in pt.	Appellate Jurisdiction of House of Lords.
c. 60.	Consolidated Fund.
c. 61. in pt.	Divided Parishes, &c.
c. 63. in pt.	Notices to Quit (Ireland).
c. 64.	Police Expenses
c. 65. in pt.	Tramways (Ireland).
c. 68.	Superannuation, &c. (War Department and Post Office).
c. 69.	Expiring Laws Continuance.
c. 70. in pt.	Sheriff Courts (Scotland).
c. 72.	Norwich and Boston Corrupt Voters.
c. 73. s. 3.	Pensions Commutation Act, 1871, Amendment.
c. 74. in pt.	Agricultural Holdings (England) Act, 1875, Amendment.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
39 & 40 Vict.—*cont.*	
c. 75. s. 13. in pt.	Pollution of Rivers.
c. 76. in pt.	Municipal Corporations (Ireland).
c. 78. in pt.	Trial by Jury (Ireland).
c. 79. in pt.	Elementary Education.
c. 80. in pt.	Merchant Shipping Acts Amendment.
40 & 41 Vict. c. 1.	Consolidated Fund.
c. 2. s. 6. in pt.	Treasury Bills and Exchequer Bills.
c. 3. in pt.	Publicans' Certificates (Scotland) Act, 1876, Amendment.
c. 5.	Exchequer Bills, &c.
c. 6.	Consolidated Fund.
c. 7.	Mutiny.
c. 8.	Marine Mutiny.
c. 9. in pt.	Supreme Court of Judicature Acts, 1873 and 1875, Amendment.
c. 11. s. 2.	Judicial Proceedings (Rating).
c. 12.	Consolidated Fund.
c. 13. in pt.	Customs, Inland Revenue, and Savings Banks.
c. 18. in pt.	Leases and Sales of Settled Estates.
c. 19.	Public Works Loans.
c. 20. s. 1.	Royal Irish Constabulary.
c. 21. in pt.	Prisons (England).
c. 24.	Consolidated Fund.
c. 25. in pt.	Solicitors.
c. 27. in pt.	Public Works Loans (Ireland).
c. 32 in pt.	Public Works Loans.
c. 37.	Registration of Trade Marks.
c. 38.	Board of Education (Scotland).
c. 42. s. 16.	Oyster, Crab, and Lobster Fisheries, &c.
c. 43. in pt.	Justices' Clerks, &c.
c. 48. in pt.	Oxford and Cambridge Universities.
c. 49. in pt.	Prisons (Ireland).
c. 50. in pt.	Sheriff Courts (Scotland).
c. 51. s. 19.	Government of India (Money).
c. 52. in pt.	Metropolitan Board of Works (Money).
c. 53. in pt.	Prisons (Scotland).
c. 56. in pt.	County Courts and Officers (Ireland).
c. 57. in pt.	Supreme Court of Judicature (Ireland).
c. 58.	Police Expenses.
c. 61.	Consolidated Fund.
c. 63. s. 3.	Building Societies Act, 1874, Amendment.
c. 64. in pt.	Turnpike Acts Continuance.
c. 66. s. 4. in pt.	Local Taxation Returns (England).
c. 67.	Expiring Laws Continuance.
41 & 42 Vict. c. 1.	Consolidated Fund.
c. 2.	Exchequer Bonds, &c.
c. 6.	Glebe Loan (Ireland) Amendment Act, 1875, Amendment.
c. 7.	Exchequer Bonds.
c. 9.	Consolidated Fund.
c. 10.	Mutiny.
c. 15. in pt.	Duties of Customs and Inland Revenue.
c. 16. in pt.	Factories and Workshops Law Consolidation.
c. 18. in pt.	Public Works Loans.
c. 21.	Consolidated Fund.
c. 22.	Exchequer Bonds.
c. 26. s. 42.	Parliamentary and Municipal Registration Act, 1878.
c. 30. in pt.	Election of Commissioners under General Police and Improvement (Scotland) Act, 1862.
c. 35.	Supreme Court of Judicature Act, 1875, Extension.
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Act repealed by 46 & 47 Vict. c. 39.	Subject-matter of Act repealed.
41 & 42 Vict.—*cont.*	
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c. 39. s. 13.	Protection of Freshwater Fish.
c. 45.	Consolidated Fund.
c. 47. s. 1.	Elders Widows' Fund.
c. 48.	Endowed Schools, &c. (Scotland).
c. 49. s. 86. in pt.	Weights and Measures.
c. 50. ss. 2, 6.	County of Hertford and Liberty of St. Alban Act, 1874, Amendment.
c. 51. in pt.	Roads and Bridges (Scotland).
c. 52. in pt.	Public Health (Ireland).
c. 53. in pt.	Admiralty and War Office Regulation.
c. 62. in pt.	Turnpike Acts Continuance.
c. 64.	Exchequer Bonds, &c.
c. 65.	Consolidated Fund.
c. 66. in pt.	Intermediate Education (Ireland).
c. 67. in pt.	Foreign Jurisdiction Acts Amendment.
c. 69. in pt.	Clerk of Petty Sessions, &c. (Ireland).
c. 70.	Expiring Laws Continuance.
c. 72. s. 4. in pt.	Sale of Intoxicating Liquors on Sunday (Ireland).
c. 74. in pt.	Contagious Diseases (Animals).
c. 77. in pt.	Highways and Locomotives.
c. 78. s. 14.	Education (Scotland).

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Act repealed by 46 & 47 Vict. c. 49.*	Subject-matter of Act repealed.
11 Hen. 7. c. 12.	Formâ pauperis.
23 Hen. 8. c. 15.	Costs: Formâ pauperis.
9 Anne, c. 25. in pt.	Municipal Boroughs, &c.
1 Will. 4. c. 21.	Proceedings in prohibition and on writs of mandamus.
,, c. 22. in pt.	Examination of witnesses upon interrogatories and otherwise.
1 & 2 Will. 4. c. 58.	Relief against adverse claims.
5 & 6 Vict. c. 69.	Perpetuating testimony in certain cases.
6 & 7 Vict. c. 67.	Prosecuting writs of error upon proceedings on writs of mandamus.
13 & 14 Vict. c. 35.	Delay and expense of proceedings in High Court of Chancery.
15 & 16 Vict. c. 76. in pt.	Common Law Procedure Act, 1852.
,, c. 80. in pt.	Abolishing Office of Master in Ordinary of High Court of Chancery, &c.
,, c. 86. in pt.	Practice, &c. in High Court of Chancery.
17 & 18 Vict. c. 125. in pt.	Common Law Procedure Act, 1854.
18 & 19 Vict. c. 67.	Summary Procedure on Bills of Exchange Act, 1855.
21 & 22 Vict. c. 27.	Chancery Amendment Act, 1858.
23 & 24 Vict. c. 38. in pt.	Law of Property.
,, c. 126. in pt.	Common Law Procedure Act, 1860.
25 & 26 Vict. c. 42.	Chancery Regulation Act, 1862.
30 & 31 Vict. c. 64.	Despatch of business in Court of Appeal in Chancery.

Also enactments in Part II. of Schedule to 42 & 43 Vict. c. 59., Civil Procedure Acts Repeal Act, 1879.

* *See* Note prefixed to Schedule to the Act.

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TO THE

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46 & 47 VICTORIA.—A.D. 1883.

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